



Physical Therapy Association of Washington
208 Rogers St NW, Olympia WA 98502-4952

360 352-7290 · telephone
800 554-5569

360 352-7298 · facsimile
<http://www.ptwa.org>

A Chapter of the American Physical Therapy Association

August 17, 2016

Jim Freeburg
Special Assistant to the Insurance Commissioner
Office of the Insurance Commissioner

Via email: rulescoordinator@oic.wa.gov

Dear Jim:

On behalf of the Physical Therapy Association of Washington (PTWA), I am providing comments on the July stakeholder draft rules regarding prior authorization.

PTWA appreciates that this draft incorporates many of the comments from our June 17th comment letter. In that letter, PTWA commented that national standards for prior authorization should be used. The draft rules require issuers to use national standards like those established by the National Committee for Quality Assurance (NCQA). These standards ensure the clinical criteria, communication standards and timelines will be adhered to.

PTWA commented that timeliness is a key barrier to access to care. We appreciate the very specific timelines laid out in the rule. In a member survey we conducted with 128 responses covering more than 2,000 patient lives and covering care received during March and April 2016, 97% of respondents reveal authorization related patient care delays with 61% indicating these occurred 75-100% of the time. The narrative comments specify authorization related delays of up to 2 weeks.

PTWA commented that appropriate credentialed clinicians should be used to make these decisions and that the provider requesting prior authorization know the credentials of the person making the decision. We appreciate that this is included in the rule.

We appreciate that the rule only allows an issuer to ask for pertinent medical information, not an entire medical record, for prior authorization decisions. We also appreciate that procedure codes are not required in a prior authorization request.

We also support the language in the rule establishing that the issuer remains responsible for any decision made by the issuer's contractor. We continue to hear, sometimes several times per week, that issuer and eviCore records regarding the need for prior authorization do not match and cannot be verified for several days.

We also appreciate the requirements to acknowledge and process requests for authorization. We were particularly perplexed by testimony of issuers at the August

10 stakeholder meeting that providing electronic acknowledgements would be difficult at 11 p.m. – when inexpensive automation options are widely used by organizations, even small ones operating on limited budgets.

Two areas of concern remain, however. The first is that the draft rules define prior authorization as a request before any treatment has been rendered. However, HB 1471, now law, allows a provider to perform an evaluation and management visit or an initial treatment visit before needing prior authorization. We request that the definition in the proposed rule reflect the current law that allows these two types of visits to occur before the prior authorization process begins.

We also ask that the rules require coordination between the authorization of visits and the provider's plan of care. This is a growing problem for many of our members and it is affecting appropriate patient care. For example, the physical therapist's plan of care may be four visits over four weeks, but the authorization is four visits over two weeks. This means that the physical therapist must amend his or her treatment plan to match the visit authorization. This flies in the face of evidence-based practice and completely ignores the clinical decisions made by the treating physical therapist. To ensure quality care, the therapist's plan of care should always take precedence.

Thank you for the opportunity to comment on this latest version of the prior authorization rules. PTWA looks forward to continuing to work with you as these rules progress.

Sincerely,

A handwritten signature in blue ink that reads "Erik Moen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Erik Moen, PT
President