



March 20, 2023

Maine Bureau of Insurance

Attn: Acting Superintendent Timothy Schott

Delivered via email to: karma.y.lombard@maine.gov (per instructions for Clear Choice Plan comments)

RE: Copays for Rehabilitative/Habilitative (physical and occupational therapy) services in Clear Choice Plans

Dear Acting Superintendent Schott and/or appropriate Bureau Staff:

I represent the physical therapists in Maine as the lobbyist for the Maine Chapter APTA (MEAPTA). **MEAPTA respectfully requests that the Bureau separate out “Rehabilitative and Habilitative” services (including but not limited to physical and occupational therapy) from “Specialists” in the Clear Choice Plans for purposes of establishing copays that are fair and affordable** using the AV calculator per Marti Hooper’s calculations presented at the Bureau’s Clear Choice Stakeholders meeting on 3/13/2023 and posted on the Bureau’s website at <https://www.maine.gov/pfr/insurance/sites/maine.gov.pfr.insurance/files/inline-files/draft-clear-choice-cost-share-plan-design-chart-2024-with-ot-pt-copays.pdf>.

MEAPTA’s analysis of the 2023 Clear Choice Plans indicates some plans have copays for physical therapy that are significantly higher than the AV calculator indicates they should be. For example, all Harvard Pilgrim 2023 plans, regardless of metal level, require a \$50 copay. Marti Hooper’s AV calculator indicates Silver copays should be \$40/visit and Gold copays should be \$30/visit. Taro Health’s copays for Rehabilitative/Habilitative services in its Bronze and Silver plans are \$150/visit (Bronze copays should be \$45-50/visit). This copay is so extraordinarily high, the patient is not really getting any benefit at all unless their PT charges are over \$150/visit.

High copays present a barrier for the average patient to obtain medically necessary PT services, especially when the patient needs to be seen 2-3 times/week for multiple weeks. This is particularly harmful to children with disabilities who might need PT services for years. Physical therapy is frequently prescribed as a cost-effective conservative approach to treating musculoskeletal conditions before more costly procedures and surgeries are prescribed.

Therefore, affordable copays for rehabilitation/habilitation services are essential to controlling overall health care costs.

Other states have passed legislation to limit physical therapy copays. ***We do not believe legislation is necessary if the Bureau addresses this issue through its regulation of the Clear Choice plans. Please consider creating a separate category for Rehabilitative and Habilitative benefits and set the copay standards as identified in the Bureau's above referenced "Clear Choice 2024 Plan Design with proposed PT/OT copays".***

We appreciate your consideration. Please let us know if we can provide any additional information you might need.

Respectfully,

A handwritten signature in black ink that reads "Gwen Simons". The signature is written in a cursive, flowing style.

Gwen Simons, Esq, PT, OCS, FAAOMPT
Lobbyist, MEAPTA
gwen@simonsassociateslaw.com
Phone: 207.205.2045

cc: HCIFS Committee