Respiratory Care Board of California

444 North 3rd Street, Suite 270, Sacramento, CA 95814

July 22, 2002

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The Honorable Xavier Becerra
1119 Longworth House Office Building
Washington, D.C. 20515

RE: ACCESS TO RESPIRATORY THERAPISTS IN THE HOME

Dear Congressman Becerra:

The Respiratory Care Board of California (Board) is the State agency created by the Legislature charged with protecting the public from the unauthorized and unqualified practice of respiratory care and from unprofessional conduct by persons licensed to practice respiratory care. The Board strongly supports and urges you to introduce legislation to recognize respiratory therapists under the Medicare home health services benefit by adding the following suggested language to section 1861(m) of the Social Security Act:

> "For purposes of paragraph (1) and (2), the services of a respiratory therapist may be construed to be the services of a registered professional nurse or a physical therapist when such skilled nursing or physical therapy services are part of a home health plan of care and are also within a respiratory therapist's scope of practice."

Currently, home respiratory therapy is covered under Medicare when it is part of a plan of care by a nurse or a physical therapist. The proposed language would recognize respiratory therapists and allow their services to be considered a skilled visit under the plan of care. Respiratory therapists are formally educated, clinically trained, and competency tested in their field. For Medicare beneficiaries who are ventilator dependent, or who suffer from Chronic Obstructive Pulmonary Diseases such as emphysema and chronic bronchitis, respiratory therapists may be the best provider option. By not recognizing respiratory therapists under the Medicare home health services benefit, patient safety may be jeopardized and consumers are prevented from receiving the best care for their respiratory illnesses.

There is now a body of research which shows that costs are better controlled and quality of care improved when the care of patients with lung diseases, as ordered by a physician, is delivered by a licensed respiratory therapist. In recognition of this, many of the national physician associations have issued resolutions stating their support for respiratory therapists (see enclosures).

As you know, no additional expenses would incur from this requested change. Rather, it would provide for a different, and in some cases, more qualified therapist. Further, this recognition would not mandate the use of respiratory therapists, but rather, provide the opportunity for patients with respiratory diseases to obtain the best possible treatment.

Thank you for your consideration in this matter. Should you have any questions, please do not hesitate to contact our Executive Officer, Stephanie Nunez at (916) 323-9983.

Sincerely,

Barry Winn, Ed.D., RCP
President

Enclosures

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[In addition to Congressmen Becerra, this letter was sent to Senators Feinstein and Boxer and Congressmen Herger, Matsui, Stark, and Thomas]

The Respiratory Care Board of California's mission is to protect and serve the consumer by enforcing the Respiratory Care Practice Act and its regulations, expanding the delivery and availability of services, and promoting the profession by increasing public awareness of respiratory care as a profession and supporting the development and education of all respiratory care practitioners.