



**American Hospital
Association**

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July 18, 2005

Senator Rick Santorum
511 Dirksen Senate Office Building
Washington, DC 20510

Senator Ben Nelson
720 Hart Senate Office Building
Washington, DC 20510

Dear Senators Santorum and Nelson:

On behalf of our members -- 4,800 hospitals, health systems and other health care organizations, and 33,000 individuals – I am writing to express our support for the “Preserving Patient Access to Inpatient Rehabilitation Hospitals Act of 2005.” The American Hospital Association applauds your leadership on rehabilitation issues and congratulates you on your efforts to preserve and improve access to advanced, comprehensive medical rehabilitation. By continuing to fight for rehabilitation access for some of our most vulnerable populations, your legislation will help allow Medicare beneficiaries—and all individuals—to receive these vital services.

Since 2002, Congress has taken several steps in an effort to update and modernize the inpatient rehabilitation facility (IRF) criteria known as the “75% Rule.” The Centers for Medicare & Medicaid Services (CMS) has made only minor changes to the 20-year-old rule. In April 2005, a Government Accountability Office released a report indicating that 1) the 75% Rule is not working and is in need of modification and 2) more research is needed for policy makers to proceed in an informed manner.

Legislation must be enacted to prevent further harm to patient access to care. The current list of conditions within the 75% Rule does not reflect modern medical rehabilitation practices and advances. The true effects of CMS’ actions are just now being fully understood, and there is evidence that patient access is being hindered. Rehabilitation patients deserve to receive the right care in the right setting at the right time.

This is a critical issue for the patients that need rehabilitative care, and for the hospitals that provide the services. On behalf of our member hospitals and the patients and communities they care for, we look forward to working with you and your colleagues to get it passed. If you have further questions, contact the AHA’s Jennifer Mallard at (202)-626-2981.

Sincerely,

Rick Pollack
Executive Vice President

