

APA Practice Organization
Putting the Practice Assessment to work

September 19, 2011 - This summary features advocacy activities by the American Psychological Association Practice Organization (the APA Practice Organization, or APAPO) to advance and protect the professional interests of practicing psychologists. **APAPO initiatives are made possible by Practice Assessment payments from members** that provide vital resources for sustaining the organization's advocacy work.

The APA Practice Organization Committee for the Advancement of Professional Practice (CAPP) and APAPO collaborate closely with state, provincial and territorial psychological associations (SPTAs). The national organization provides financial, consultative and other support for numerous advocacy efforts at the state level.

CAPP grants totaling nearly \$5.8 million have been given to SPTAs for legislative initiatives, organizational development and additional uses since APAPO began in 2001. These grants are funded by Practice Assessment payments from APA Practice Organization members.

Additional examples of putting Practice Assessment monies to productive use thus far in 2011 include:

- **Affirming the doctoral standard for independent psychology practice.** CAPP awarded the Texas Psychological Association (TPA) an emergency grant of \$10,000 and [APAPO collaborated with TPA on legal issues and strategy](#) as the state psychological association joined a legal battle to protect the doctoral standard for independent psychology practice. This initiative culminated in an August 2011 affirmation by the Austin District Court that the Texas State Board of Examiners of Psychologists had statutory authority to require that “psychological associates” trained at the Masters level be supervised by licensed psychologists trained at the doctoral level.
- **Challenging rate cuts by health insurers.** [APAPO worked with the Florida Psychological Association \(FPA\)](#) in August 2011 to prepare a letter to the Florida Office of Insurance Regulation (FLOIR) immediately after FPA learned that Blue Cross Blue Shield of Florida (BCBS FL) and its new behavioral health subcontractor were planning a 30 to 60 percent reduction in psychologists' reimbursement rates. The reductions were part of a new provider contract that psychologists were seemingly asked to sign within 15 days. FLOIR responded to the letter within one week, assuring FPA that psychologists will have more time to decide about the new provider contract and that FLOIR is working with the health insurers to correct certain problematic language in the contract. APAPO and FPA will continue to address the crucial issues raised with FLOIR regarding the adequacy of reimbursement rates and the impact on patient access to mental health services. Unfortunately, the problem has spread quickly beyond Florida. APAPO is

collaborating with the Kansas and Michigan Psychological Associations and is poised to work with additional SPTAs as similar issues arise in other states.

- **Supporting litigation against abusive managed care practices.** In July 2011, APAPO collaborated with the New Jersey Psychological Association (NJPA) and its outside counsel on re-filing a lawsuit by NJPA and two patients against Horizon BCBS and Magellan. The lawsuit alleges that the companies violated state privacy law and the HIPAA Privacy Rule in managing mental health care for the state employee plan. An emergency CAPP grant was provided to support this litigation.
- **Advocating for professional psychology as the Affordable Care Act is implemented.** This advocacy includes providing comments in support of the Medicare Decisions Accountability Act of 2011 ([HR 452](#)), a bill to [repeal the Medicare Independent Payment Advisory Board \(IPAB\)](#). In a [June 2011 comment letter](#), APAPO supported repealing the board, which would be tasked with making Medicare cost-cutting recommendations beginning in 2014.
- **Challenging mental health care authorization requirements that may violate the federal health insurance parity law.** In May 2011, Blue Cross Blue Shield of Illinois (BCBS-IL) reiterated to the Illinois Psychological Association (IPA) that it will not try to re-institute authorization requirements governing outpatient therapy that had been slated to take effect in January. [APAPO has worked closely with IPA since 2010 to challenge authorization requirements](#) newly proposed by the company. APAPO helped IPA prepare a letter to BCBS-IL objecting to their implementation. Late in December, BCBS-IL made its initial announcement that the company was withdrawing the authorization requirements.
- **Confronting AMA assaults on non-physician scope of practice.** In May 2011, Dr. Katherine Nordal and other selected representatives of the Coalition for Patients' Rights (CPR) met with American Medical Association (AMA) chief executive officer, president of the AMA Board of Trustees and the association's general counsel staff. CPR consists of more than 35 organizations, including APAPO, representing a variety of licensed non-physician health care professionals. The meeting focused on advocacy packets disseminated by AMA that erroneously outlined the education, training and credentials of various non-physician disciplines, including psychology. The packets were made available in states where organized medicine opposes attempts by non-physician organizations to broaden their scope of practice. CPR members provided numerous examples of inaccuracies in the modules and requested that AMA withdraw them. AMA indicated that the modules would be considered for revisions. The meeting attendees committed to continuing their dialogue with a focus on seeking a shared understanding of

how to build interdisciplinary, patient-centered teams.

- **Convening the 28th annual State Leadership Conference.** In March 2011, the annual APAPO State Leadership Conference attracted nearly 500 psychology leaders to Washington, DC, to participate in workshops, symposia and networking opportunities. On the final day of the conference, attendees met with more than 300 members of Congress and staff to address [advocacy issues of importance to practicing psychologists](#) and consumers of psychological services.
- **Gaining introduction of federal legislation to include psychologists in the Medicare definition of “physician.”** In late February and early March 2011, key allies of professional psychology in the Senate and House [introduced legislation to include psychologists in the Medicare definition of “physician.”](#) This is an important step toward ensuring that psychologists are able to provide Medicare mental health services free of unnecessary physician supervision requirements that hinder patient access. Visits to congressional offices by APA Practice Organization State Leadership Conference attendees, and subsequent grassroots emails and calls, resulted in several dozen cosponsors being added to the bills.
- **Achieving restoration payments for Medicare psychotherapy services.** In February 2011, following months of delays, the Centers for Medicare and Medicaid Services (CMS) announced that [psychologists would soon begin to receive retroactive restoration payments](#) for Medicare psychotherapy services provided between January 1 and July 1, 2010. The restoration payments were one aspect of many Medicare payment changes included in the Affordable Care Act of March 2010. The provision in PPACA followed the December 31, 2009 expiration of an earlier five percent payment restoration for psychotherapy services. The APA Practice Organization successfully advocated for reinstatement of the psychotherapy monies for all of 2010, retroactive to January. A later law extended the additional five percent Medicare psychotherapy payments through 2011.
- **Pursuing advocacy activities regarding implementation of the Health Information Technology for Economic and Clinical Health (HITECH) Act.** The APA Practice Organization gained bipartisan support for House and Senate legislation that would extend eligibility for electronic health record incentive payments to mental, behavioral and substance use health professionals. As federal rules to implement the HITECH Act take effect, the [APAPO is advocating for full inclusion of psychologists](#) under the law’s incentive programs. Sen. Sheldon Whitehouse (D-RI) introduced legislation on March 10, 2011 to allow mental health practitioners and facilities to seek reimbursement for purchasing electronic health record-keeping systems (EHRs). Introduction of a companion bill by Rep. Tim Murphy (R-PA) is pending.

APAPO does not benefit from any American Psychological Association (APA) assets, since the two organizations are legally distinct from one another and have separate funding. While APA derives a reasonably small percentage of its revenue from member dues, **APAPO is almost entirely dependent on Practice Assessment payments** to fund its wide-ranging advocacy work on behalf of professional psychology.

As Executive Director Katherine C. Nordal, PhD, noted in a message to members, “For less than \$12 a month, a psychologist who pays the APAPO Practice Assessment can rest assured that a team of highly skilled professionals is working every day to advocate for the profession’s interests and address threats and obstacles to psychology practice.”



AMERICAN
PSYCHOLOGICAL
ASSOCIATION
PRACTICE ORGANIZATION