



NATIONAL ASSOCIATION OF LONG TERM HOSPITALS



October 18, 2024

## **Post-Acute Care Organizations Commend Release of Senate Investigation into Medicare Advantage Denials**

*Multisector Provider Groups Call on Federal Policymakers to Do More to Ensure Patients Have Robust Access to Medically Necessary Care*

**Washington, D.C. – Health care provider group leaders, collectively representing approximately 35,000 providers of post-acute care nationwide, laud the findings revealed in the new report [Refusal of Recovery: How Medicare Advantage Insurers Have Denied Patients Access to Post-Acute Care](#), released Oct. 17 by the Senate Permanent Subcommittee on Investigations (PSI).**

Built on evidence from the largest insurers in the Medicare Advantage (MA) program, this report reveals what far too many patients and providers already know: MA plans have dramatically scaled up care denials in recent years and are placing serious barriers to patients receiving the medically necessary care they need.

The following is a joint statement from the American Medical Rehabilitation Providers Association (AMRPA), American Health Care Association/National Center for Assisted Living (AHCA/NCAL), National Association of Long Term Hospitals (NALTH), the National Alliance for Care at Home (the Alliance), and LeadingAge:

“Our organizations, representing inpatient rehabilitation hospitals and units (IRFs), long-term care hospitals (LTCHs), skilled nursing facilities (SNFs), and home health agencies (HHAs), have long raised concerns that MA plans too often inappropriately delay and deny access to post-acute care, causing real harm for patients seeking to fully recover from serious injuries, illnesses, disabilities, and chronic conditions. Our members consistently report that these MA plan practices have a direct negative impact on beneficiaries’ long-term health, function, and ability to maximize their recovery, especially when they limit access to benefits that are fully covered for those enrolled in Traditional Medicare.

“Among other findings, the PSI report reveals that UnitedHealthcare, Humana, and CVS/Aetna, covering the majority of all MA beneficiaries, denied admissions for post-acute care settings three times as frequently as for other services (in the case of Humana, more than 16 times more frequently) in 2022. While the Subcommittee’s report only covered data

from 2019-2022, member reports across post-acute care settings indicate these trends have only continued to worsen. The report also raises serious concerns about plans' use of artificial intelligence, algorithms, and other predictive technologies to curtail prior authorizations and potentially override the decision-making authority of reviewing clinicians employed by plans.

“Additional regulatory action must be taken to rein in these practices and ensure that beneficiaries enrolled in Medicare Advantage receive the care to which they are entitled in a timely fashion. Our organizations strongly support the recommendations in the report for enhanced oversight and enforcement by the Centers for Medicare and Medicaid Services (CMS), and we call on Congress and other federal policymakers to prioritize a comprehensive response to protect access to covered services, and particularly post-acute care. More must be done to ensure that millions of MA beneficiaries nationwide are not inappropriately barred from necessary medical care.”

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The **American Medical Rehabilitation Providers Association (AMRPA)** is the national trade association representing nearly 800 freestanding inpatient rehabilitation hospitals and rehabilitation units in acute care hospitals. Our hospitals and units focus on the care and functional recovery of some of the most vulnerable patients – such as traumatic brain injury, stroke, and spinal cord injury patients. AMRPA members provide intensive rehabilitation services to help patients maximize their health, functional skills, independence, and participation in society so they can return to home, work, or an active retirement. For more information, please visit [www.amrpa.org](http://www.amrpa.org).

The **American Health Care Association and National Center for Assisted Living (AHCA/NCAL)** represents more than 14,000 non-profit and proprietary skilled nursing centers, assisted living communities, sub-acute centers, and homes for individuals with intellectual and developmental disabilities. By delivering solutions for quality care, AHCA/NCAL aims to improve the lives of the millions of frail, elderly, and individuals with

disabilities who receive long term or post-acute care in our member facilities each day. For more information, please visit [www.ahcancal.org](http://www.ahcancal.org).

**LeadingAge** represents more than 5,400 nonprofit aging services providers and other mission-driven organizations serving older adults that touch millions of lives every day. Alongside our members and 36 partners in 41 states, we use advocacy, education, applied research, and community-building to make America a better place to grow old. Our membership encompasses the entire continuum of aging services, including skilled nursing, assisted living, memory care, affordable housing, retirement communities, adult day programs, community-based services, hospice, and home-based care. We bring together the most inventive minds in the field to lead and innovate solutions that support older adults wherever they call home. For more information, visit [www.leadingage.org](http://www.leadingage.org).

The **National Alliance for Care at Home (the Alliance)** is a new national organization representing providers of home care, home health, hospice, palliative care, and other health care services mainly delivered in the home. The Alliance brings together two organizations with nearly 90 years of combined experience: the National Association for Home Care & Hospice (NAHC) and the National Hospice & Palliative Care Organization (NHPCO). NAHC and NHPCO are in the process of combining operations to better serve members and lead into the future of care offered in the home. Learn more at [www.AllianceForCareAtHome.org](http://www.AllianceForCareAtHome.org).

The **National Association of Long Term Hospitals (NALTH)** is the only hospital trade association in the nation devoted exclusively to the needs of medically complex patients who require services provided by long-term acute care hospitals (LTCHs). NALTH members include the nation's leading LTCHs, including free-standing, hospital-within-hospital, for-profit, and non-profit LTCHs. For more information, please visit [www.nalth.org](http://www.nalth.org).