



*Debra B. Whitman, Chair*

May 20, 2015

Dear Representative:

The Leadership Council of Aging Organizations (LCAO) – a coalition of national not-for-profit organizations representing 60 million older Americans – urges you to cosponsor H.R. 1571, the bipartisan "Improving Access to Medicare Coverage Act of 2015," introduced by Reps. Joe Courtney (D-CT) and Joe Heck (R-NV).

Currently, unless a patient spends at least three consecutive days in the hospital as an inpatient, Medicare Part A will not pay for post-hospital nursing care and rehabilitation in a skilled nursing facility (SNF), forcing the patient to pay thousands of dollars in out-of-pocket costs or go without needed care. This legislation would count all of a patient's time in the hospital in observation toward the three-day inpatient hospital stay requirement under the Medicare statute for coverage of SNF care.

"Observation" is the term used to describe the outpatient status of a patient who is in a hospital bed, but who is not considered an inpatient. Patients in observation status receive medical and nursing services, tests, medications, and food and they are often intermingled with inpatients. The medically necessary care is indistinguishable from the care received by inpatients. Some older people and people with disabilities have experienced stays in acute care hospitals under observation that lasted for three days or more.

This legislation would amend the Medicare statute's definition of "post-hospital extended care services" to clarify that Medicare beneficiaries in observation are deemed inpatients during this time. This means that a patient who is in the hospital under observation status would be considered to have been an inpatient during that time period for the purpose of satisfying the three-day inpatient stay requirement. This change will help ensure that Medicare beneficiaries receive the SNF coverage they need under Medicare Part A.

We thank you on behalf of the older Americans we represent. We look forward to working with you to secure passage of this legislation. Please contact [LCAO@arp.org](mailto:LCAO@arp.org), if you have any questions.

Sincerely,

AARP  
AFL-CIO  
Aging Life Care Association (formerly NAPGCM)

Alliance for Retired Americans  
AMDA – The Society for Post-Acute and Long-Term Care  
American Federation of State, County and Municipal Employees (AFSCME) Retirees  
American Foundation for the Blind (AFB)  
American Postal Workers Union (APWU) Retirees  
American Society on Aging (ASA)  
Association for Gerontology and Human Development in Historically Black Colleges and  
Universities (AGHDHBCU)  
Association of Jewish Aging Services  
B'nai Brith International  
Center for Medicare Advocacy, Inc.  
International Association for Indigenous Aging (IA<sup>2</sup>)  
The Jewish Federation of North America  
Justice in Aging  
LeadingAge  
Lutheran Services in America (LSA)  
Medicare Rights Center  
Military Officers Associations of America (MOAA)  
National Academy of Elder Law Attorneys (NAELA)  
National Active and Retired Federal Employees Association (NARFE)  
National Adult Day Services Association (NADSA)  
National Adult Protective Services Association (NAPSA)  
National Association of Area Agencies on Aging (n4a)  
National Association of State Long-Term Care Ombudsman Programs (NASOP)  
National Committee to Preserve Social Security and Medicare (NCPSSM)  
National Consumer Voice for Quality Long-Term Care  
National Council on Aging (NCOA)  
National Hispanic Council on Aging (NHCOA)  
OWL – The Voice of Women 40+  
Services and Advocacy for GLBT Elders (SAGE)  
Social Security Works