



**Testimony of the
Connecticut Orthopaedic Society and the Connecticut State Medical Society
In opposition of
House Bill 5376 *AN ACT PROHIBITING PHYSICIANS FROM OWNING
BUSINESSES THAT PROVIDE PHYSICAL THERAPY SERVICES*
Presented to the Public Health Committee
February 20, 2013**

Senator Gerratana, Representative Johnson and members of the Public Health Committee, my name is Dr. Michael Marks and I am a past president of the Connecticut Orthopaedic Society (COS). I am here representing more than 250 orthopaedic surgeons in our state and almost 7,000 physicians and physicians in training of the Connecticut State Medical Society (CSMS) all in strong opposition to House Bill 5376, An Act Prohibiting Physicians from Owning Businesses That Provide Physical Therapy Services.

I am currently employed by Norwalk Hospital and was previously in private practice for more than 20 years. As an orthopaedic surgeon, I have worked closely with physical therapists on a daily basis and have long appreciated the value that physical therapists bring to the treatment of patients. Hundreds of orthopaedic surgeons oppose this bill, which seeks to prevent physicians from offering medically necessary physical therapy services through employee physical therapists who work in the physicians' medical practices. Physical therapists in Connecticut also oppose this bill and I call to your attention written testimony submitted by Mr. William Lee Day, licensed physical therapist in practice for 28 years. Lee and I have known each other for 20 years and he is vehemently opposed to this bill. The forced separation of orthopaedic care and related physical therapy treatment prevents physicians from working as a team in an integrated medical setting, is anti-competitive, and most importantly is bad for patients.

The proposed legislation would negatively affect the ability of physicians to coordinate and manage high quality care for their patients. Physical therapy services affected by the proposal are essential tools, used on a daily basis by practices seeking to provide comprehensive services to their patients and ensure treatment compliance. If this proposal were enacted, patients would be forced to receive these services without the benefit of a practice closely associates with their physician. This would increase inefficiencies and create significant barriers to care which would be further fragmented

at a time when there is widespread agreement that improving the U.S. healthcare system will require more care coordination, not less.

Do not allow this legislation to deny patients an integrated continuum of health care. Physical therapy has long been an integral part of patient care provided by orthopaedic surgeons. Not surprisingly, the federal government and most states in the country permit the integration of physical therapy services—an arrangement in which physicians employ physical therapists in their medical practices to provide needed physical therapy services.

Bill 5376 would create a monopoly over physical therapy services, which harms the health care delivery system, drives up costs and adversely impacts patients. As supporters of integrated physical therapy services, physicians believe that patients should be given the choice of where they receive physical therapy and that expanding options for patients will increase the likelihood patients will follow through with their physician-prescribed physical therapy. In addition, physical therapists should not be denied the opportunity to work as employees for medical practices if they so choose.

Eliminating integrated physical therapy services is no answer to addressing increasing concerns of health care costs. Responsible financial disclosure obligations and the furnishing of lists of alternative physical therapy sites provides transparency while ensuring that, if a patient chooses, he or she can have physical therapy furnished under the guidance of his or her treating physician who employs physical therapists within the medical practice or in any other setting the patient desires.

Thank you for your time and serious consideration of the concerns of the 250 orthopaedic surgeons who oppose this bill because we are committed to providing Connecticut citizens with integrated physical therapy services to ensure the highest quality of care while preserving patient access.