



August 12, 2022

Secretary Miguel Cardona
US Department of Education
400 Maryland Ave SW
Washington, DC 20202

Re: Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program.

Dear Secretary Cardona,

The American Academy of PAs (AAPA), on behalf of the more than 159,000 PAs (physician assistants) throughout the United States, appreciates the opportunity to provide comments on the Department of Education's student assistance proposed rule. Specifically, AAPA would like to commend the agency on a specific aspect of the proposal which broadens the authorization and expands the list of health professionals who may certify that a borrower is totally and permanently disabled.

In the proposed rule, the Department of Education (ED) proposes to authorize PAs, nurse practitioners (NPs), and clinical psychologists to certify that a borrower is totally and permanently disabled. With this service no longer being restricted to a physician, the expectation is that the increased flexibility will give qualifying disabled borrowers improved access to the application process for a Total and Permanent Disability (TPD) discharge. If approved by the secretary, a TPD discharge relieves a borrower of the obligation of federal loan repayment.

AAPA supports the revisions identified for §§ 674.61(b)(2)(iv), 682.402(c)(2)(iv), and 685.213(b)(2). We believe the increased flexibility that comes with additional qualified health professionals being able to provide this service would streamline the disability certification process for an already vulnerable population that should not face difficulties in attaining access to an appropriate medical evaluation.

Individuals who qualify (or may qualify) as disabled are more likely to be limited in their ability to access care, due to mobility and transportation impediments. These transportation obstacles will be compounded if the patient resides in a rural or semi-rural area. Broadening the pool of qualified health professionals who may certify disability will lessen such transportation burdens, ensuring disabled individuals are able to utilize a qualified health professional in closer proximity, instead of having to seek out a physician.

PAs and NPs are currently authorized as primary care providers who oversee a patient's health care under several federal health care programs, including Medicare, Medicaid, Tricare, FEHBP, Veteran's Health Administration, Indian Health Services, Public Health Service, and Department of Defense. PAs are the primary source of care for many patients. According to information provided in an October 2021 Medicare Payment Advisory Commission

meeting, in 2018 APRNs and PAs accounted for a third of all primary care clinicians treating Medicare beneficiaries and up to half of primary care clinicians in rural areas.¹ PAs have more than 400 million patient visits annually. Patients who routinely rely on a PA or NP for their medical care should not have the continuity of their care disrupted by being required to obtain a disability certification, if needed, from a physician who the patient may have never met.

PAs are highly trained and educated health professionals who are well-qualified to provide disability certifications. Other federal agencies acknowledge that capacity. For example, in 2017 the Social Security Administration updated its regulations and authorized both PAs and NPs to serve as acceptable medical sources who can provide documentation and evidence of impairment to the agency regarding a patient's disability.

Finally, on a technical note, we would like to draw your attention to the improper use of the term "physician's assistant." The profession's title does not have an apostrophe in it, and we recommend that ED modify all incorrect instances in the rule to instead use the appropriate term "physician assistant."

Thank you for the opportunity to provide feedback on the Department of Education's Student Assistance proposed rule. For any questions you may have please do not hesitate to contact Michael Powe, AAPA Vice President of Reimbursement & Professional Advocacy, at michael@aapa.org.

Sincerely,



Lisa M. Gables, CPA
Chief Executive Officer

¹ <https://www.medpac.gov/wp-content/uploads/2021/11/cong-req-vulnerable-access-medpac-oct-2021.pdf>