



March 29, 2023

Department of Education

RE: ED-2022-OPE-0103 Requirements and Responsibilities for Third-Party Servicers and Institutions

Recommendation: The AACRC and CoARC recommend that the definition of Third-Party Servicer not be changed.

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The following comments are submitted on behalf of the American Association for Respiratory Care (AACRC) and the Commission on Accreditation for Respiratory Care (CoARC). The AACRC is a national professional organization with a membership of 40,000 respiratory therapists who specialize in ventilator management and providing pulmonary diagnostics and treatment for patients who suffer from respiratory conditions like Chronic Obstructive Pulmonary Disease (COPD), asthma, pneumonia, lung trauma and other respiratory-related diagnoses.

CoARC accredits entry in professional practice respiratory care programs at the Associate, Baccalaureate and master's degree levels, as well as post-professional degree advancement respiratory care programs at the Baccalaureate and Master's degree levels and advance practice respiratory care programs at the graduate level. The CoARC also accredits certificate programs that train sleep disorders specialists offered by any of its accredited respiratory care programs. CoARC accreditation is limited to programs physically located in the United States and its territories.

Our members are concerned that the change in the definition of third-party servicers (TPS) would impact the clinical setting that is necessary for students to complete their training to become qualified respiratory therapists. Students and colleges would be severely harmed by the proposed changes. The revised definition would require a contract between the sponsoring educational institution and the clinical setting which would make both parties liable for any violation of Title IV requirements and possible subject to annual audits.

We believe that it is incorrect to identify clinical facilities as third party servicers because it places a burden on the respiratory therapy program which would lead to the loss of clinical sites that are willing to accept students. The clinical setting and the clinical staff are not engaged in the administration of Title IV funds and the mandatory reporting requirements would have many withdraw from the current educational programs. The proposed changes in the definition of third party servicers could have an extremely detrimental effect of the respiratory care profession and its pipeline of new providers while we are already experiencing widespread severe staffing shortages. The change in definition could also lead to loss of employment for the respiratory care departments and their employees involved in higher education.

The proposed language would have a devastating effect on the respiratory care profession, and other allied healthcare professions who are experiencing severe staffing shortages.

The AACRC and CoARC recommend that the definition of Third-Party Servicer not be changed.

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