

August X, 2015

Mr. Andy Slavitt
Acting Administrator
Centers for Medicare and Medicaid Services
200 Independence Avenue, S.W. #314G
Washington, D.C. 20201

Dear Acting Administrator Slavitt,

We are writing to express concerns that Medicare beneficiaries with significant disabilities could be prevented from receiving prescribed, medically-necessary complex rehabilitation technology (CRT) based on a recent Frequently Asked Questions (FAQ) document issued by the Centers for Medicare and Medicaid Services (CMS). For the past six years, this equipment has been paid in accordance with an established fee schedule. However, the CMS FAQ document posted in December 2014 regarding the Medicare durable medical equipment (DME) competitive bidding program (CMS 1614-F) indicates that CMS plans to apply pricing information obtained from bids for standard wheelchair accessories to complex rehabilitative wheelchair accessories.

Congress specifically excluded complex rehabilitative power wheelchairs and related accessories from the Medicare DME competitive bidding program when it approved the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA 2008, Section 154). It is our view that applying competitive bidding pricing to complex rehabilitative wheelchair accessories is inconsistent with the intent of MIPPA 2008 and contrary to CMS policies regarding complex rehabilitation manual wheelchair accessories. A shift from the current fee schedule to bid program pricing could reduce access to complex rehabilitative wheelchairs and accessories for a small population of Medicare beneficiaries with significant disabilities.

We encourage CMS to review its December 2014 FAQ and issue written clarification that accessories used with complex rehabilitative power and manual wheelchairs will continue to be paid at Medicare established fee schedule amounts and not adjusted based on Medicare competitive bidding program pricing.

Thank you for your attention to this matter. Please do not hesitate to contact us if you have any further information or questions about our request.

Sincerely,
