



## **Please Cosponsor H.R. 621, The Home Oxygen Patient Protection Act**

The New England Medical Equipment Dealers Association (NEMED) enthusiastically supports the Home Oxygen Patient Protection Act (HOPP Act), or H.R. 621, which was introduced by physician Congressman Tom Price (R-GA) on January 22nd, 2007. The HOPP Act may help a million oxygen patients to breathe easier by easing the burdens placed on them by the Deficit Reduction Act of 2005 (DRA).

### **Background**

The HOPP Act would amend the Deficit Reduction Act by restoring Medicare treatment of ownership of oxygen equipment to the system that existed before the law was enacted. A provision in the DRA forces home oxygen patients to assume ownership of and responsibility for medical oxygen systems after 36 months of rental in Medicare. That law effectively severs the patient provider relationship for home oxygen therapy under Medicare, which raises numerous patient safety issues. NEMED, The American Association for Homecare, the American Lung Association, and other patient and provider stakeholders vigorously opposed that change in Medicare policy.

Oxygen therapy is critical to approximately one million Americans who suffer from respiratory illnesses such as chronic obstructive pulmonary disease (COPD) and who require oxygen therapy under Medicare. Nationwide, as many as 15 million Americans have been diagnosed with COPD, a number that is growing. It is a slowly progressive, incurable disease that causes irreversible loss of lung function. Although existing medications have not proven beneficial in reversing its effects, home oxygen therapy—when properly prescribed and maintained—can slow or stop lung degeneration.

Medical oxygen is a federal legend drug and the devices are prescription only. Transferring the burden of ownership to the beneficiary presents serious risks to patient safety. Moreover, medical oxygen therapy at home costs an average of \$7.62 per day in Medicare. A typical inpatient hospital day in Medicare costs \$4,603.

Oxygen therapy requires more than a piece of equipment. Service costs for medical oxygen therapy in the home exceed the cost of equipment by three to one: 72 percent of the costs required for providing home oxygen therapy are related to services and operation (intake, delivery, maintenance, patient assessment and education, regulatory compliance, and other costs). The equipment represents just 28 percent of the costs of home oxygen therapy.

Please help Americans on oxygen therapy to breathe easier by signing on as a cosponsor. To sign onto H.R. 621, contact Keagan Resler in Congressman Price's office at 225-4501.