



2020 HME Policy Concerns

Safeguarding Medicare Access to Respiratory Therapy, H.R. 4945

Key DMEPOS Issues

The competitive bidding program has continued to push reimbursement rates to unsustainable levels, making it difficult for suppliers to provide quality care to their patients. This program has resulted in providers forced to maintain care levels with half of the resources. These cuts have made it especially difficult on rural providers and have threatened access to care for patients in rural America. VGM and the HME Industry is actively working with representatives of CMS and HHS to convey the urgency for reforms.

Legislative Initiatives for the Industry

Over the past few years, the grassroots coalition of providers and patients have made their voices heard on Capitol Hill. This has resulted in strong, bipartisan support from members of Congress across the country.

H.R. 4945 – Safeguarding Medicare Access to Respiratory Therapy (SMART) Act of 2019

Introduced by Rep. Morgan Griffith (R-VA) and Rep. Peter Welch (D-VT), H.R. 4945 would delay the inclusion of ventilators from the Medicare durable medical equipment competitive bidding program for five years and establish a technical expert panel (TEP) to update that national coverage policies for home mechanical ventilator devices so that they reflect technological advancements and peer-reviewed science.

Earlier this year, House and Senate letters were sent to CMS asking for consideration in removing ventilators from the competitive bid program. The House letter was sent to CMS with 180 signatures from members of Congress and the Senate letter was sent with 38 signatures from Senators.

Earlier this year, the Centers for Medicare and Medicaid Services (CMS) announced that it would include noninvasive ventilators in the next round of competitive bidding. Representatives Griffith and Welch, joined by 178 of their House colleagues, urged CMS to reconsider this move as, “ventilators are highly specialized and care-intensive devices that allow fragile, medically complex patients to remain in their home,” and, “even brief delays in access to clinical ventilator support can prove dangerous or even fatal and would likely mean patients are no longer able to receive their care at home.” The SMART Act directs CMS to revise outdated home mechanical ventilation policies to reflect evidence-based modern medicine, ensuring patients receive the right device at the right time.