

ROBERT P. CASEY, JR.
PENNSYLVANIA

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United States Senate

WASHINGTON, DC 20510

November 9, 2011

Mr. Laurence Wilson
Director, Chronic Care Policy Group
Centers for Medicare and Medicare Services
200 Independence Ave., S.W.
Washington, D.C. 20201

Dear Mr. Wilson:

I am writing to express my concern with the product category breakdown for the durable medical equipment, prosthetics, orthotics and supplies (DMEPOS) competitive bidding program for Round 2. Specifically I am concerned about the addition of manual wheelchairs, and some complex rehab items, to the standard power wheelchair product category. I urge you to create a new category for manual wheelchairs and remove the complex rehab products prior to starting the Round 2 bidding process.

In 2008, Congress included a provision in the Medicare Improvement for Patients and Providers Act (MIPPA) to exempt certain complex rehab products that are specialized and individually configured from competitive bidding. The intent of the program is to apply competitive bidding to the high cost, high volume items that show the greatest potential for savings. I understand that the ultra-lightweight manual wheelchair (K0005), specialty skin protection and positioning adjustable wheelchair cushions (E2622-E2625), manual wheelchair accessory – push activated power assist (E0986), and the wheelchair accessory – ventilator tray, gimbaled (E1030) were among the codes added for Round 2 bidding.

These seven codes collectively represent less than one half of a percent of the units being bid, and only one percent of the total dollars being bid. As I understand it, their inclusion does not offer an opportunity for significant savings, but their inclusion does present major risks for the health, safety and well being of Medicare beneficiaries. The inclusion could also significantly increase the medical costs of our most vulnerable citizens, those with significant medical conditions and disabilities. I would like to see these specific codes removed from the competitive bidding program prior to the commencement of round 2 bidding.

I would also urge CMS to create separate categories for manual wheelchairs and power wheelchairs. These products are not similar in nature, are used by very different populations of Medicare beneficiaries and are typically not provided by the same type of DME provider. Allowing for separate categories will benefit both providers and beneficiaries.

I appreciate your taking these requests in account as you move towards final implementation of Round 2 and I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink that reads "Bob Casey, Jr." The signature is written in a cursive, flowing style.

Robert P. Casey, Jr.
United States Senator