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November 18, 2011

Administrator Donald Berwick
Centers for Medicare & Medicaid Services
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Dear Dr. Berwick,

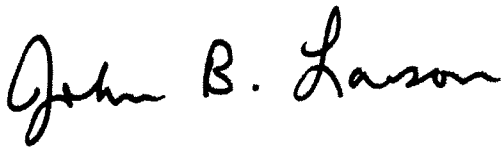
I write today to express concerns with the implementation of Round 2 of the Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Competitive Bidding program. Specifically, I am concerned with the inclusion of certain manual wheelchairs and complex rehab products in the standard power wheelchair product category for Round 2 of the program. I believe that including these products could potentially have negative consequences for Medicare beneficiaries with some of the most complicated and serious medical conditions.

As you know, in 2008, Congress included a provision in the Medicare Improvements for Patients and Providers Act (MIPPA) to exempt certain complex rehabilitative power wheelchairs and accessories, which are specialized and individually configured products, from competitive bidding. The reason that Congress chose to exclude these items in MIPPA was due to concerns raised about potential problems that many individuals with disabilities and others with complex medical needs could have faced in accessing the specialized equipment they needed. In the same manner, I believe CMS should examine the items listed below and consider exempting them from Round 2 and any subsequent rounds of competitive bidding as they are similarly specialized products.

Although I am in favor of repealing the DMEPOS competitive bidding program, I do commend CMS in its goal to reduce costs for both Medicare beneficiaries and taxpayers. However, in this case, there does not appear to be significant savings to be gained from including these products in the competitive bidding process as according to data I have seen, these products only account for one half of one percent of all products being bid and one percent of all of the dollars being bid. More importantly, I am concerned that as a result of inclusion of these products within Round 2, beneficiaries may not have access to the critical products they need.

Thank you very much for your time and consideration on this important issue. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "John B. Larson". The signature is written in a cursive, flowing style.

JOHN B. LARSON

Member of Congress

Items for consideration:

Ultra-lightweight manual wheelchair (Code K0005)

Specialty skin protection and positioning adjustable wheelchair cushions (Codes E2622-E2625)

Manual wheelchair accessory – push activated power assist (Code E0986)

Wheelchair accessory – ventilator tray, gimbaled (Code E1030)