

Congress of the United States
Washington, DC 20515

December 15, 2011

Marilyn Tavenner
Acting Administrator of Centers for Medicare and Medicaid Services
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore MD 21244-1850

Dear Administrator Marilyn Tavenner:

Thank you for your hard work ensuring that Medicare, Medicaid and health services are afforded and administered to the population. We are writing to express our concerns over the Medicare Prepay Review and Prior Authorization Demonstration Project for Power Mobility Devices (PMDs).

On November 15, 2011, the Centers for Medicare and Medicaid Services (CMS) announced a three-year demonstration project that will conduct 100% prepay review for all new PMD claims in seven of the largest Medicare reimbursed states, beginning January 1, 2012. We applaud the agency's efforts to reduce waste, fraud and abuse; however, we have many concerns with enacting a demonstration project of this size with minimal notice to the affected stakeholders. Such a project could result in significant job losses and jeopardize seniors' access to this important Medicare benefit.

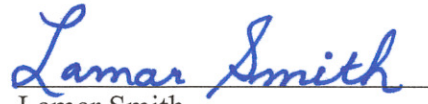
As you are aware, Congress and CMS has significantly reduced pricing for PMDs and increased program integrity requirements for Medicare suppliers (e.g. accreditation, surety bonds, quality standards) over the past three years. Specifically, on January 1, 2011, CMS enacted Round One of the Medicare Durable Medical Equipment Prosthetics, Orthotics and Supplies (DMEPOS) Competitive Bidding program, which includes power wheelchairs. Also on January 1, 2011, Congress mandated that all Medicare Group 2 standard power wheelchairs be converted to a 13-month rental item requiring businesses to obtain substantial outside capital as a result of the transition. Including a demonstration project to the requirements already in place could harm seniors that depend on durable medical equipment to live independently in their own homes. Additionally, taking a one-size-fits-all approach adds burdensome regulations to good-standing providers and threatens jobs.

We encourage you to halt the prepay review demonstration project due to the potential threats to businesses, jobs and seniors' access to care. Furthermore, we recommend that you work with all stakeholders, including physicians, beneficiaries, and suppliers to develop a program that restores access to these invaluable products and services without impacting legitimate businesses. Any efforts should include a formal notice and comment period. Thank you for your attention to this important matter.

Sincerely,



Henry Cuellar, Ph.D.
Members of Congress



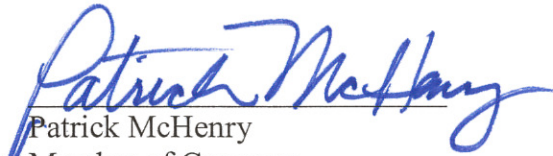
Lamar Smith
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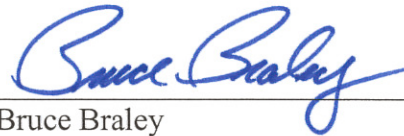
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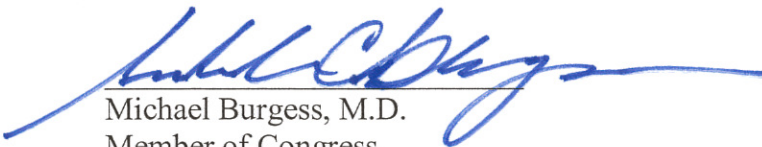
Ted Poe
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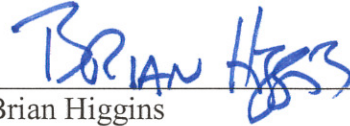
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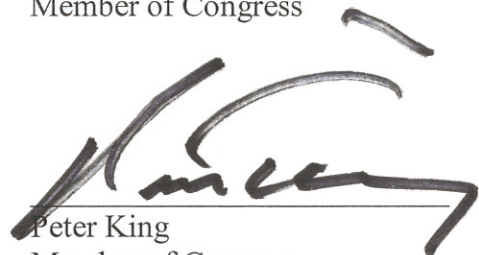
Brian Higgins
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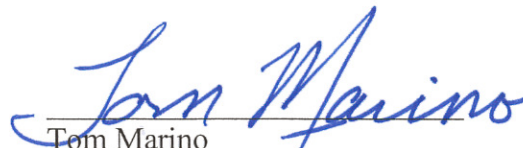
Mark S. Critz
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Peter King
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Tom Marino
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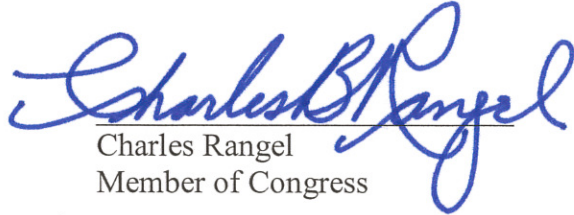
Joseph Crowley
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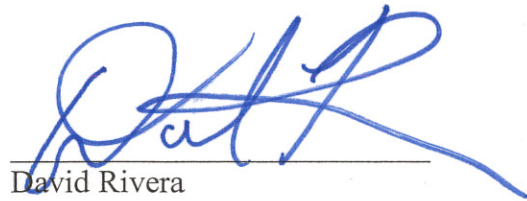
Bill Flores
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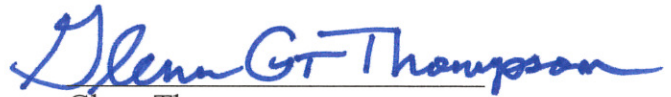
Todd Young
Member of Congress



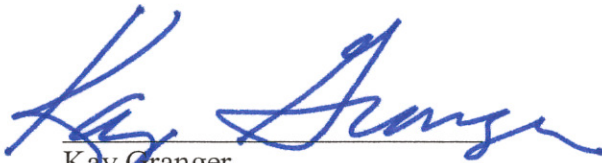
Charles Rangel
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