

Congress of the United States
Washington, DC 20515

September 29, 2020

The Honorable Seema Verma
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Administrator Verma:

As champions for people with disabilities in our communities, we write today to respectfully request that you take action to provide equitable access for Medicare beneficiaries who require Complex Rehabilitative (Complex) wheelchairs and accessories.

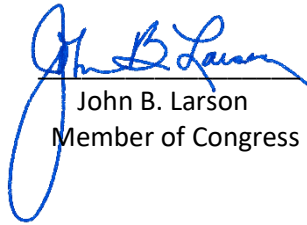
Complex wheelchairs and accessories are used by people with significant disabilities including spinal cord injury, ALS, Multiple Sclerosis, and other serious conditions. These individually configured mobility and seating systems allow this small group of beneficiaries—representing just 7% of all Medicare manual wheelchair users—to manage their medical needs and fully participate in their lives. Without Complex wheelchairs, many would be bed confined. Of note, these Complex wheelchairs have taken on even more importance in helping people with disabilities manage the challenges and risks of the COVID-19 pandemic.

In 2017, CMS acted—at the urging of Congress—by issuing a policy clarification to ensure that Medicare beneficiaries relying on Complex POWER wheelchair accessories could continue to access them. However, this did not address Complex MANUAL wheelchair accessories. To address this gap, in December 2019, Congress passed language from H.R. 1865 to make clear that our intent was for Power and Manual Complex wheelchair accessories to be treated the same. Complex wheelchairs and accessories are critical to allow people with severe disabilities the ability to participate fully in their own lives. These devices are not off-the-shelf commodity items and Competitive Bidding Program (CBP) pricing for Standard wheelchair accessories should not be applied to much different Complex wheelchair accessories.

Complex wheelchair accessories are highly tailored, individualized products that perform critical functions for the Medicare beneficiaries. Unlike what the name implies, “accessories” are not nice-to-have items, but instead, provide important benefits like preventing skin pressure sores, positioning/supporting the person upright so they can breathe, and allowing the operation of the wheelchair to be tailored to their physical limitations.

We believe protection from CBP pricing should apply equally to both Complex Rehabilitative power and manual wheelchair accessory users and respectfully request that you take action to make this change permanent for Complex Rehabilitative manual wheelchair users as you did in 2017 for Complex Rehabilitative power wheelchair users.

Sincerely,



John B. Larson
Member of Congress



Lee Zeldin
Member of Congress

BRIAN FITZPATRICK
Member of Congress

DAN MEUSER
Member of Congress

C.A. DUTCH RUPPERSBERGER
Member of Congress

GERALD E. CONNOLLY
Member of Congress

MIKE BOST
Member of Congress

ANTHONY GONZALEZ
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TOM COLE
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STEVE KING
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DAVID E. PRICE
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BOB GIBBS
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ABBY FINKENAUER
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TOM REED
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JAMIE RASKIN
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DAVE LOEBSACK
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NEAL P. DUNN, M.D.
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Member of Congress

JIM JORDAN
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ANDY KIM
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CHELLIE PINGREE
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RODNEY DAVIS
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JOHN ROSE
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SUSIE LEE
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