



February 13, 2017

Secretary Thomas E. Price
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Via email to secretary@hhs.gov

Re: Stopping Medicare Plans to Apply DME Competitive Bid Program Payment Rates to Complex Rehab Wheelchair Accessories

Dear Secretary Price,

Congratulations on your confirmation as Secretary of Health and Human Services. We wish you the best of luck as you assume this critical leadership position and look forward to working with you and your staff in making needed healthcare improvements.

We are writing to request you take administrative action to stop Medicare plans to apply DME Competitive Bid Program (CBP) payment rates to Complex Rehab Wheelchair Accessories on July 1, 2017. This action is needed to protect access to Complex Rehab Wheelchair Accessories that people with significant disabilities depend on.

We appreciated your support in the last Congressional session urging CMS to make this correction administratively, and when it refused to do that, your support of legislative action (S. 2196 and H.R. 3229). There is no need for a statutory change nor a need for CMS to change its current regulation. CMS can simply modify its December 2014 "Frequently Asked Questions" (updated February 18, 2015) sub-regulatory guidance that is posted on CMS' web site and instruct its contractors.

Attached is a memorandum titled "CMS Can Easily Correct Medicare Policy" that provides additional background on this issue and describes the simplicity of the administrative action needed.

We will be setting up a meeting with your staff to discuss this critical issue and thank you for your support in ensuring that people with disabilities' have continued access to this specialized equipment.

Sincerely,

A handwritten signature in black ink that reads "Don Clayback".

Donald E. Clayback
NCART
Executive Director
716-839-9728
dclayback@ncart.us | www.ncart.us

A handwritten signature in black ink that reads "Thomas Ryan".

Thomas Ryan
American Association for Homecare
President
703-836-6263
tomr@aahomecare.org | www.aahomecare.org

Enclosure

CC:

Senator Rob Portman

Senator Bob Casey

Representative Lee Zeldin

Representative John Larson

Representative Cathy McMorris Rodgers

Lance Leggitt, Office of the Secretary

Amanda Street, Office of the Secretary

Carla Diblasio, Office of the Secretary

Brett Baker, Senate Finance Committee Majority Staff

Beth Vrabel, Senate Finance Committee Minority Staff

James Paluskiewicz, House Energy & Commerce Committee Majority Staff

Arielle Woronoff, House Energy & Commerce Committee Minority Staff

Nicholas Uehlecke, House Ways & Means Committee Majority Staff

Sarah Levin, House Ways & Means Committee Minority Staff