

Request

Noninvasive home ventilators provide essential life support for Medicare beneficiaries with ALS, the majority of whom die of respiratory failure.¹ By using a home ventilator, people with ALS avoid life-threatening lapses in their breathing. **If access to home ventilation is constricted by competitive bidding, Medicare beneficiaries with ALS will experience dramatic increases in emergency room visits, more frequent and longer admissions to hospitals, and greater use of skilled nursing facilities and long-term care institutions. As a result, there will be significantly higher costs for Medicare and state Medicaid programs.**

The ALS Association strongly opposes the Centers for Medicare and Medicaid Services (CMS) proposal, dated March 13, 2019, to add noninvasive home ventilators to the Competitive Bidding Program for the period of January 1, 2021 through December 31, 2023. The ALS Association, our network of 39 [chapters](#) and more than 160 certified, recognized, and affiliated [clinics across the country](#) request that Congress oppose the addition of noninvasive ventilators to the competitive bidding process.

The ALS Association is working with the American Association for Respiratory Care and the National Association for Medical Direction of Respiratory Care to develop a strategy to convince CMS to remove noninvasive ventilators from competitive bidding.

About Competitive Bidding

The Competitive Bidding Program was mandated by Congress through the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA). The intent of the statute is to reduce beneficiary out-of-pocket expenses and Medicare money while ensuring beneficiary access to the items and services they need.²

Competitive bidding is a process by which CMS replaces the current fee schedule for payment of durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS) items with a competition among suppliers who operate in a bidding area. Suppliers of a product are required to submit a bid through a web-based application process. Contracts are awarded to the Medicare suppliers who offer the best price, and then all suppliers are paid the same amount regardless of the equipment or service that they offer.

On March 13, 2019, CMS added noninvasive home ventilators to competitive bidding for the period of January 1, 2021 through December 31, 2023. As a form of durable medical equipment (DME), CMS has the authority to replace the current fee schedule payment.

¹ Andrews, J. A., Meng, L., Kulke, S. F., Rudnicki, S. A., Wolff, A. A., Bozik, M. E., Shefner, J. M. (2018, January). Association Between Decline in Slow Vital Capacity and Respiratory Insufficiency, Use of Assisted Ventilation, Tracheostomy, or Death in Patients With Amyotrophic Lateral Sclerosis. Retrieved April 12, 2019, from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5833488/>

² Centers for Medicare and Medicaid Services. (2019, March 07). DMEPOS Competitive Bidding. Retrieved April 12, 2019, from <https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/DMEPOSCompetitiveBid/index.html>

About Noninvasive Home Ventilators

Noninvasive home ventilators offer critical life support for Medicare beneficiaries with ALS, the majority of whom die of respiratory failure.³ These life support systems replace or support normal ventilatory lung function and are a form of DME, unlike any other item subject to competitive bidding.

Medicare beneficiaries with ALS who require noninvasive home ventilators are fragile and the therapy requires intense amounts of training and monitoring. During initial phases of home therapy, patients require careful assessment, ongoing monitoring, and titration of their equipment. Patients who use noninvasive ventilators also require consistent follow-up provided by respiratory care personnel. Use of noninvasive ventilation can positively impact quality of life and increase survival for people diagnosed with ALS.⁴

Currently, Medicare classifies ventilators in a category of items that require frequent and substantial servicing, recognizing the intensive and continual service these items require in order to avoid risk to the patient's health.⁵ Medicare has not included any other frequent and substantial servicing items in the bidding program to date.

Challenges

People with ALS who receive home ventilation care are the most vulnerable and fragile patients in home health environments. Ventilators require frequent maintenance, in addition to constant vigilance and adjustment as a patient's needs change. Additionally, respiratory therapists are not reimbursed by CMS, which requires DME suppliers to subsidize the cost of care to keep patients at home.

Few providers in any geographic area possess the skills and commitment necessary to keep people living with ALS safely at home. Competitive bidding will result in a devastating reduction in access to both ventilators and skilled respiratory therapists, putting the lives of people with ALS at risk.

Impact

Noninvasive home ventilators are critical life support for Medicare beneficiaries with ALS, the majority of whom die of respiratory failure.⁶ By using a home ventilator, people with ALS avoid life-threatening lapses in their breathing. If access to home ventilation is constricted by competitive bidding, Medicare beneficiaries

³ Radunovic, A., Annane, D., Rafiq, M. K., Brassington, R., & Mustafa, N. (2017, October 06). Mechanical ventilation for amyotrophic lateral sclerosis/motor neuron disease. Retrieved April 12, 2019, from <https://www.ncbi.nlm.nih.gov/pubmed/28982219>

⁴ Miller, R. G., Jackson, C. E., Kasarskis, E. J., England, J. D., Forshew, D., Johnston, W., Quality Standards Subcommittee of the American Academy of Neurology. (2009, October 13). Practice parameter update: The care of the patient with amyotrophic lateral sclerosis: Drug, nutritional, and respiratory therapies (an evidence-based review): Report of the Quality Standards Subcommittee of the American Academy of Neurology. Retrieved April 12, 2019, from <https://www.ncbi.nlm.nih.gov/pubmed/19822872>

⁵ Items Requiring Frequent and Substantial Servicing - Noridian. (n.d.). Retrieved April 12, 2019, from <https://med.noridianmedicare.com/web/jddme/topics/payment-categories/frequent-servicing>

⁶ Andrews, J. A., Meng, L., Kulke, S. F., Rudnicki, S. A., Wolff, A. A., Bozik, M. E., Shefner, J. M. (2018, January). Association Between Decline in Slow Vital Capacity and Respiratory Insufficiency, Use of Assisted Ventilation, Tracheostomy, or Death in Patients With Amyotrophic Lateral Sclerosis. Retrieved April 12, 2019, from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5833488/>



Oppose Competitive Bidding for Noninvasive Ventilators

with ALS will experience dramatic increases in emergency room visits, more frequent and longer admissions to hospitals, and greater use of skilled nursing facilities and long-term care institutions. As a result, there will be significantly higher costs for Medicare and state Medicaid programs.

About ALS

ALS (amyotrophic lateral sclerosis) is a progressive neurodegenerative disease that affects nerve cells in the brain and the spinal cord. Eventually, people with ALS lose the ability to initiate and control muscle movement, which often leads to total paralysis and death within a few years after diagnosis. Research indicates that veterans are twice as likely to develop ALS as the general population. There is no cure. ALS chapters serve more than 20,000 people with ALS every year.

Have Questions? Contact Us!

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