



May 22, 2009

The Honorable Max Baucus
Chairman
Committee on Finance
United States Senate
Washington, D.C. 20510

The Honorable Charles E. Grassley
Ranking Member
Committee on Finance
United States Senate
Washington, D.C. 20510

RE: Response to Affordable Care Coverage Recommendations

Dear Chairman Baucus and Ranking Member Grassley:

The Independence through Enhancement of Medicare and Medicaid (ITEM) Coalition is pleased to comment on the Senate Finance Committee's health care coverage policy options outlined in the document, *Expanding Health Care Coverage: Proposals to Provide Affordable Coverage to All Americans* (May 11, 2009). ITEM is very supportive of the recommendations regarding individual and small group market reform, as these improvements to the private health insurance market have significant positive implications on the ability of all Americans to access affordable health insurance regardless of their health status.

However, ITEM is very concerned that under these options, the Health Insurance Exchange would not offer a benefit package covering assistive devices and related services that enable individuals with disabilities to facilitate their recovery and restore their ability to function and live as independently as possible. A lack of coverage for durable medical equipment, orthotics, prosthetics (DMEPOS) and other assistive devices would have devastating consequences for individuals in need of this care. Congress must explicitly require coverage of this important category without arbitrary dollar limits or exclusions of benefits in all insurance plans offered under the Exchange and must do so in statute.

Virtually all the publicly supported health programs cover a significant scope of DMEPOS items and related services including Medicare, most Medicaid programs, the Department of Defense health program, the Veterans' Administration, and the Federal Employee Health Benefits Program. The lack of a requirement to cover such assistive devices under health plans in the Exchange would be a material erosion of coverage of these vital benefits for people with disabilities and chronic conditions. An artificial limb for an amputee is not a luxury or convenience item. Power wheelchairs, specialized seating, or complex rehab mobility devices for individuals who are non-ambulatory due to spinal cord injury, cerebral palsy, Multiple

Sclerosis or other reasons are vital to returning the person to full function and independence. There are hundreds of other examples that illustrate the point that coverage of these benefits are absolutely critical to meeting the health care needs of a large percentage of the population that will receive health care coverage through the Exchange.

For this reason, Congress should ensure that private insurance accommodates the needs of all Americans, including those who require assistive devices to be functional, healthy and independent. The mission of the ITEM Coalition, which is a consumer-led coalition and includes a diverse group of disability organizations, is to raise awareness and build support for policies that will improve access to assistive devices, technologies and related services for people of all ages with disabilities and chronic conditions. We strongly support inclusion of these critical benefits in all health plans available under the Exchange.

Thank you for your consideration of our views. If you have any questions, please do not hesitate to contact Peter Thomas, counsel for the ITEM Coalition, at 202-466-6550.

Sincerely,

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