



## **2009 POLICY PRIORITIES**

(Adopted by Member Organizations on October 15, 2008)

Over the past five years, the ITEM Coalition and its member organizations have demonstrated their effectiveness as key advocates for the expansion of access to, and coverage of, assistive devices and technologies for people with disabilities of all ages. In 2009 and beyond, the Coalition will continue these efforts through implementation of a two-prong strategy that focuses on long-range comprehensive objectives as well as short-term priorities.

### **I. Long Range Policy Priorities**

- a. The Coalition will develop comprehensive legislation to serve as a compendium of Medicare coverage priorities for assistive devices and technologies that impact a broad range of people with disabilities. This legislation will include the following new coverage clarifications and provisions:
  - i. Low vision aids
    1. Currently, CMS excludes coverage for any low vision aid that uses a lens under the “eyeglasses exception”
      - a. The bill will clarify coverage for certain vision aids to correct vision up to specified levels
  - ii. Assistive listening devices
    1. Hearing aids are currently excluded from Medicare coverage
      - a. The bill will clarify coverage of certain devices to be used by people with a specific degree of impairment (an auditory assessment will be required to qualify for benefits).
  - iii. Portable oxygen concentrators
    1. The oxygen payment system currently serves as a disincentive to provide beneficiaries with portable, rather than stationary, oxygen.
      - a. The bill will eliminate the financial disincentive to provide portable oxygen so that fewer Medicare beneficiaries will be confined to their homes
  - iv. Lifts and transfer equipment
    1. Often viewed by CMS as “convenience” items, the bill will stimulate coverage for lifts and transfer equipment to enable beneficiaries with mobility impairments to be more functional and independent
  - v. Medical mobility devices (H.R. 2520)
    1. The bill will incorporate bipartisan legislation to create a new Medicare benefit for “medical mobility devices,” which represent a new generation of highly functional mobility devices

- vi. Safety devices
  - 1. The bill will include coverage of a specified list of safety equipment and home modifications for people with disabilities to prevent secondary injuries
- vii. Specialized items
  - 1. The bill will clarify that specialized items that offer accessibility to beneficiaries will be covered by Medicare (i.e., audible glucose monitoring devices for people with vision impairments)
- b. The bill will also propose to reclassify certain items as assistive technology, rather than as durable medical equipment, including:
  - 1. Complex rehab wheelchairs
  - 2. Augmentative and assistive communication devices (“AAC’s”)
- c. The bill will incorporate bipartisan legislation clarifying the in-the-home restriction under the DME benefit for long term users of mobility devices
- d. The Coalition will support the strengthening of DME fraud and abuse protections by calling for further enhancements of quality standards and accreditation requirements for DMEPOS suppliers. The Coalition will also support specific regulatory requirements for orthotic and prosthetic providers and suppliers
- e. Although legislation establishing this enhanced Medicare assistive device benefit is the objective, efforts will be made to attempt to have CMS and the new Administration adopt as many of these provisions as possible through their administrative authority

## **II. Short Term Policy Priorities**

- a. “In the home” restriction:
  - i. The Coalition will seek reintroduction of a free-standing bill to modify the “in the home” restriction under the Medicare DME benefit and advocate for its inclusion in the next Medicare bill in 2009 or through administrative action
- b. DME competitive bidding
  - i. The Coalition will monitor closely the rebidding of Round I of competitive bidding and communicate with CMS and Congressional committees to ensure that quality, supplier choice, and access to care are not compromised
- c. First month purchase option
  - i. The Coalition will be vigilant in monitoring this provision and if it reemerges, strengthen our advocacy against adoption of this misguided policy