

Protecting Access To Complex Rehab Technology

Alpine Rehab Conference - October 5, 2017

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Learning Objectives

- 1) Learn the latest regarding Medicare CRT Legislation and other federal issues.
- 2) Learn the latest regarding Medicaid issues, trends, and activities.
- 3) Learn how to be active in protecting CRT access on federal/state levels and the resources available to help.

Progress Being Made....But

- Thanks to all the CRT stakeholders who are taking time for advocacy
- Our collective work is paying off and CRT awareness/support continues to increase
- *But we MUST keep growing the CRT voice to build on the momentum and fight for permanent/comprehensive improvements*

30% to 40% Drop in CRT Providers

Medicare CRT Provider Decreases 2012 Through 2014						
Year	Companies	Locations	Company Decrease		Location Decrease	
In 2011	1,340	1,741	NA	NA	NA	NA
In 2012	1,212	1,622	128	10%	119	7%
In 2013	1,036	1,451	176	15%	171	11%
In 2014	804	1,219	232	22%	232	16%
Cumulative			536	40%	522	30%

NCART Analysis of FOIA Response for Medicare CRT Wheelchairs Utilization for 5 CRT Wheelchair HCPCS Codes: E1161, K0005, K0848, K0856 and K0861

Taking the CRT Message to Congress

Your Members are Key to Protecting Access



2016 CRT Legislative Recap

- Positive Government Accountability Office (GAO) Report to Congress re CRT Wheelchair Accessories
- Year-end 21st Century Cures Act included a 6-month extended delay in cuts to CRT Power Wheelchair Accessories
- While our 2 CRT federal bills did not pass, we finished with 266 individual Members of Congress signed on to at least 1 bill (we only lost 14 supporters from elections as we moved into 2017)

2017 – Healthcare In The Air

- New President, Administration, and Congress in Washington, DC
- Affordable Care Act (ACA/Obamacare) replace/repeal?
- Medicare changes?
- Medicaid changes?
- Private sector changes?

2017 CRT Congressional Asks

1) Immediate need to roll back Medicare cuts:

Stop inappropriate Medicare application of DME Competitive Bid rates to cut payment for accessories (critical components) on CRT **Manual** Wheelchairs:
House Bill H.R. 3730. Senate bill expected.

2) Long-term comprehensive improvements:

Create Separate Benefit Category (SBC) for CRT within Medicare and implement needed improvements in coverage, coding, and standards:
House Bill H.R. 750. Senate bill expected.

Manual Wheelchair Accessories Bill

- **House bill H.R. 3730-** reintroduced by Reps. Lee Zeldin (R-NY) and John Larson (D-CT). ***Currently at 43 members (21 Rs and 22 Ds); 9 on Ways & Means Committee, 7 on Energy & Commerce Committee.*** In 2016, broader bill had 147 (90 Rs and 57 Ds).
- **Senate bill-** will be reintroduced by Sens. Bob Casey (D-PA) and Rob Portman (R-OH). In 2016, 26 signed on (14 Rs and 12 Ds).

Details of Manual Accessories Bill

- Needed to prevent INAPPROPRIATE Medicare (and other payer) payment cuts (10% to 50%) to 171 wheelchair “accessory” codes
- Will clarify Congress’ intent to exclude CRT wheelchairs and accessories from Medicare’s DME Competitive Bid Program

Separate Benefit Category Bill

- **House bill H.R. 750-** introduced by Reps. Jim Sensenbrenner (R-WI) and Joe Crowley (D-NY). ***Currently at 93 members (31 Rs and 62 Ds); 12 on Ways & Means Committee, 13 on Energy & Commerce Committee.*** In 2016, 173 signed on (74 Rs and 99 Ds).
- **Senate bill-** awaiting reintroduction this year. In 2016, 20 signed on (9 Rs and 11 Ds).

Details of SBC Bill

- Creates separate category for CRT within the Medicare DMEPOS benefit (similar to Orthotics & Prosthetics)
- Designates specific HCPCS codes as CRT and allows for creation of NEW dedicated codes for CRT
- Eliminates “in-the-home restriction” for CRT and adds functional considerations
- Expands clinical evaluation to all CRT mobility bases
- Increases supplier standards: “enhanced” ATP credential, requires repair capabilities
- Allows nursing home residents to access CRT if part of move to community residence
- Clarifies exemption of CRT from competitive bidding

Utah Congressional Delegation

- Senate:
 - Orrin Hatch (R), Finance Committee Chair
 - Mike Lee (R)
- House of Representatives:
 - Rob Bishop (R)
 - Mia Love (R)
 - Chris Stewart (R)
 - TBD: replacement for Jason Chaffetz (R)

Congressional CRT Talking Points

- CRT is critical to people with high level disabilities; meets medical needs; maximizes independence; lowers health care costs
- Small population of people/products that need distinction (only 9% of Medicare wheelchairs)
- Bills will protect/improve CRT access and elevate standards and safeguards for Medicare and beneficiaries
- Bills have strong bipartisan Congressional support and broad support from national consumer and medical professional groups

Dedicated CRT Advocacy Site

- www.access2crt.org for current issues/tools
- Nondenominational CRT Access HQ- ***please sign-up to receive CRT Alerts/Updates***
- Contacting Congress links (email/phone)
- Advocacy and educational tools-
 - CRT Videos
 - Issue Papers
 - Calls To Action
 - Legislation Info
 - List of Cosponsors
 - CRT vs Standard Pictorials
 - CRT Facts & Figures
 - Other helpful documents

Be a 3 Star CRT Advocate

- You have 1 Representative and 2 Senators in Congress
- One point earned as you get each Member to sign as cosponsor to CRT bills
- Get all your Members signed on and you're a **3 Star CRT Advocate!**

Medicare “Prior Authorization”

- 2 distinct Prior Auth initiatives in play
- *Old*-- PMD Demonstration began in Sept 2011 and covers 19 states; ends in August 2018
- *New*-- DME PA Program; 135 potential DME codes; will start with 2 Group 3 Power Wheelchair codes (single power option and multi-power option)

Medicare Coverage – Power Seat Elevation

- **Medicare - Power seat elevation feature (E2300) is non-covered because it is not primarily medical in nature.**
- There are medical benefits derived from the use of a power seat elevation feature
- Other payers cover: VA, Medicaid, Commercial Payers, Voc Rehab, Workers Comp. They will consider it on a case by case basis when documentation shows it essential for: **transfers, reach, access, safety, support of identified vocational or educational goals**

State Medicaid Issues

- States facing budget challenges
- Impact of Affordable Care Act repeal/replace
- Subcontracting to Managed Care Plans
- Adoption of Medicare Comp Bid rates
- Coverage and Payment cuts

***STAY CLOSE TO YOUR STATE'S BUDGET
and HEALTH DEPT. TO HEAR THEIR PLANS***

2018 Medicaid Payment Cuts

Medicaid “pay-for” in 21st Century Cures Act

- Advances by one year the previous law to January 1, 2018 (instead of January 1, 2019)
- Limits the federal portion of Medicaid state fee-for-service DME rate to local bid rate (all codes?)
- Impact varies by state
- Not something industry agreed to

State CRT Legislation

- For states, its about separate “Recognition” not separate “Benefit Category”
- Passed in 5 states: WA (HB-144 effective 1/1/14), CO (HB-1211 effective 1/1/15), CT (AB-325 effective 1/1/15), OK (SB-494 effective 11/1/15), and IL (SB-420 signed 8/26/16)
- Legislation introduced in NY and WI

CRT Educational Materials

Great advocacy (and marketing) information in the “Education Materials” section at www.ncart.us-

- Intro to CRT Video
- CRT Facts and Figures
- CRT Delivery Process
- CRT Mobility vs Standard Mobility
- Separate Benefit Category Information
- The CRT Company (narrative, workflow, finances)
- Many other helpful documents

Your CRT Access Homework

- 1) Sign up for updates at www.access2crt.org.
- 2) Use the links to email/call your Representatives to get them to sign on to H.R. 3730 and H.R. 750 (and stay tune for the Senate bills). Polite persistence will pay off!
- 3) Spread the word to other CRT stakeholders you know (clients, caregivers, other clinicians) and get them to do the same.

Questions

Remember the CRT Advocacy Motto

“Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.” - Margaret Mead

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