

POSITION PAPER

Congress Must Pass H.R. 1516 and S. 1013

Protect People with Disabilities Access to Complex Rehab Technology



Position

A separate benefit category for Complex Rehab Technology (CRT) must be established within the Medicare program to protect people with disabilities access to this critical technology and related services. These specialized products are currently included within Medicare's broad durable medical equipment (DME) benefit category which prevents adequate differentiation of CRT devices and focused policies and safeguards. A separate CRT category will allow for needed improvements in coverage policies, coding, and quality standards to better address the unique needs of people with significant disabilities and chronic medical conditions who rely on these specialized products to meet their medical needs and maximize their function and independence.

Background

The DME benefit was created over 45 years ago to address the medical equipment needs of elderly individuals. Over time technology has advanced to now include highly configurable manual wheelchairs, power wheelchairs (not the power wheelchairs seen advertised on TV), adaptive seating and positioning systems, and other specialized equipment such as standing frames and gait trainers. This technology – called Complex Rehab Technology – is prescribed and individually configured to meet the specific medical and functional needs of people with disabilities and chronic medical conditions. These highly specialized products and services are unique and significantly different from standard DME.

Without a proper segregation of CRT access is threatened because of its inclusion in Medicare's outdated DME coverage and classification system. Current Medicare policies do not adequately address the unique needs of individuals with disabilities, acknowledge the full range of services furnished by CRT providers, or incorporate the complexity and unique nature of the equipment itself. The implications of continuing to include CRT within the traditional durable medical equipment category are stark. Product choice will be limited and critical services will be curtailed. A full range of services may be unavailable to the individual with a disability, jeopardizing access to the most appropriate equipment and the necessary supportive services.

Complex Rehab Technology Is Significantly Different From Standard DME

- **Population Served:** Complex Rehab Technology is used by individuals with significant disabilities and medical conditions different from those of the traditional elderly Medicare population. The CRT population, who tend to qualify for Medicare based on their disability and not their age, consists of individuals with diagnoses that include, but are not limited to, cerebral palsy, muscular dystrophy, multiple sclerosis, spinal cord injury, amyotrophic lateral sclerosis (Lou Gehrig's disease), traumatic brain injury, and spina bifida.
- **Complex Rehab Technology Services:** Complex Rehab Technology requires a broader range of services and specialized personnel than what is required for standard DME. The provision of CRT is conducted through an interdisciplinary team (referred to as the CRT Team) consisting of, at a minimum, a physician, a physical therapist or occupational therapist, and a rehab technology professional (RTP). Devices in this category require a technology assessment completed by a certified RTP employed by a CRT provider. This assessment

involves matching the medical and functional needs of the individual with appropriate products. Simulations or equipment trials are often used to ensure that the items are appropriate and meet the individual's identified needs. Because the equipment is complex and becomes an extension of the person, fitting, training, and education requires much more time than standard DME items. In addition, Medicare requires environmental assessments within the home for certain CRT products.

- **Uniqueness of Complex Rehab Technology Devices:** Many of the products require a physical evaluation, a technology assessment, measuring, fitting, simulations and trials, a mixing and matching of products from different manufacturers, significant training and education, and refitting and ongoing additional modifications.
- **Specialized Staff:** The Medicare program requires that CRT providers employ specialized and credentialed staff to analyze the needs of individuals with disabilities and assist in the selection of the appropriate equipment. These credentialed personnel, called Assistive Technology Professionals (ATP), are certified by the Rehabilitation Engineering and Assistive Technology Society of North America (RESNA) and specialize in the assessment, selection, and provision of CRT products.
- **More Comprehensive Quality Standards:** The Medicare program has established quality standards that all DME companies must meet to qualify for participation in the Medicare program. The Centers for Medicare and Medicaid Services (CMS) has included additional and more rigorous quality standards with which CRT providers must comply.

Congressional Precedents for Treating Customized Devices Differently

Congress has acknowledged complex rehab power wheelchairs are unique and more specialized than standard DME. In 2008 it passed legislation exempting these products from inclusion in Medicare's DME competitive bidding program recognizing that such inclusion would jeopardize access to this customized technology. In addition, Congress has recognized the unique nature of other customized products and services and created a separate classification for Orthotics and Prosthetics (O&P), i.e. custom braces and artificial limbs. CMS acknowledged the specialized service component inherent in custom-fit orthotics and prosthetics and treats O&P as separate and unique with its own medical policies, accreditation standards, and reimbursement calculations. This same distinct recognition and segregation is needed for Complex Rehab Technology.

Recommendation

Congress must pass the **Ensuring Access to Quality Complex Rehabilitation Technology Act of 2015 (H.R. 1516 and S. 1013)** to establish a separate benefit category for CRT products and services within the Medicare program and make other needed changes. This legislation will allow for needed improvements in coverage policies, coding, and quality standards to better address the unique needs of the individuals with significant disabilities and chronic medical conditions who rely on these specialized products and related services to meet their medical needs and maximize their function and independence.



A summary of the legislation, a listing of over 50 supportive national consumer and medical professional groups, and other information regarding CRT can be found at www.access2crt.org. This initiative is led by the National Coalition for Assistive & Rehab Technology (NCART), the American Association for Homecare (AAH), the National Registry of Rehabilitation Technology Suppliers (NRRTS), the Rehabilitation Engineering and Assistive Technology Society of North America (RESNA), the Clinician Task Force (CTF), the United Spinal Association (USA), and the Independence Through Enhancement of Medicare and Medicaid Coalition (ITEM). For additional information, contact Don Clayback, Steering Committee Chair, at 716-839-9728 or dclayback@ncart.us.