

**Proposed Changes- Durable Medical Equipment, Prosthetics & Orthotics, & Supplies
- Medicaid Coverage & Payment**

JU2016200858

Comment Period Public Question Responses

for questions received through 11/10/17

DMEPOS Proposed Regulations: Questions and Comments		Department Responses
1.	There are items that state "Prosthetic and Orthotics Suppliers Only". Does that mean that a DME supplier is unable to provide these items? We have found a couple of items that are prefabricated off the shelf items but are marked for Prosthetic/Orthotics only. Example: L1930 & L3809.	The Department thanks you for your question and for bringing this example to our attention. The Department will review the Medicare defined prefabricated off the shelf items and procedure codes and determine if additional modifications may be necessary to more effectively align program rules and patient access considerations. If an update is necessary, the fee schedule would be updated accordingly to reflect the changes.
2.	<i>Comment:</i> The proposed Prosthetic & Orthotic regulations, fee schedule changes, service authorization requirements and unit quantities place additional responsibilities and adjudication burdens.	The Department thanks you for your feedback and welcomes additional specifics on the concerns you identified so that we may fully consider the impact to the public.
3.	<i>Comment:</i> The proposed fee schedule refers to Medicare's LCD on almost every procedure code.	The Department thanks you for your comment. Under the proposed fee schedule, if a Medicare Local Coverage Determination (LCD) exists for a specific procedure code, Medicaid will use the LCD to conform its medical necessity criteria with that of Medicare. In such instances where an LCD for a specific procedure code is retired, rescinded, or no longer effective, the Department would no longer consider the LCD.
4.	Is the enrollment of Ambulatory Infusion Centers included in the proposed DMEPOS regulations?	The Department thanks you for your question. No; Ambulatory Infusion Center enrollment was not part of the original scope of this specific regulation package.