



American Orthotic & Prosthetic Association

www.AOPAnet.org

## **AOPA In Advance SmartBrief**

*Breaking News*

November 11, 2014

### **AOPA Headlines:**

[AOPA Pledges Silver Level Sponsor for OPAF in 2015](#)

[2015 HCPCS Codes Released](#)

[2015 AOPA National Assembly Exhibit Space is NOW AVAILABLE!](#)

[Call for Papers: Become a Presenter at the 2015 AOPA National Assembly](#)

[Off-the-Shelf Final Rule: CMS Reverses Fields](#)

[Attend the November 12 Webinar: Gifts: Showing Appreciation Without Violating the Law](#)

[Upcoming AOPA Events](#)



### **AOPA Pledges Silver Level Sponsor for OPAF in 2015**

The American Orthotic & Prosthetic Association is a Silver Level Sponsor for OPAF in 2015. AOPA, along with ABC and the Academy were founding sisters of OPAF back in 1995. “This financial support will mean further development of more introductory level adaptive recreation for those facing physical and/or mobility challenges. The First Clinics are meeting a need for increased mobility and activity for the population that we all serve” said Robin Burton, OPAF Executive Director. AOPA and OPAF recently hosted a most successful First Swing Learn to Golf Clinic in Las Vegas in conjunction with the AOPA National Assembly.



“AOPA is pleased to support the vital programs OPAF provides for our limb loss and limb impaired population. This support reflects the concerns and the dedication of our entire AOPA membership” offered Tom Fise, AOPA Executive Director.

## 2015 HCPCS Codes Released

The Centers for Medicare and Medicaid Services (CMS) has released the new HCPCS codes for 2015. There were few changes to the codes that describe orthotics and prosthetics for 2015. Below is a breakdown of the new codes, code descriptor changes and code deletions. All changes are effective for claims with a date of service on or after January 1, 2015.

### Deleted Codes

Three codes were deleted from the 2015 HCPCS code set.

Code	Descriptor
L6025	Transcarpal/metacarpal or partial hand disarticulation prosthesis, external power, self-suspended, inner socket with removable forearm section, electrodes and cables, two batteries, charger, myoelectric control of terminal device
L7260	Electronic wrist rotator, Otto Bock or equal
L7261	Electronic wrist rotator, for Utah arm

### New Codes

Three new codes were added to the 2015 HCPCS code set.

Code	Descriptor
L3981	Upper extremity fracture orthosis, humeral, prefabricated, includes shoulder cap design, with or without joints, forearm section, may include soft interface, straps, includes fitting and adjustments
L6026	Transcarpal/metacarpal or partial hand disarticulation prosthesis, external power, self-suspended, inner socket with removable forearm section, electrodes and cables, two batteries, charger, myoelectric control of terminal device, excludes terminal device(s)
L7259	Electronic wrist rotator, any type

The new code L6026 appears to replace the deleted L6025; along with a key change in the descriptor. The L6026 official descriptor now clearly indicates that the code doesn't include a terminal device.

The new code L7259 appears to replace the deleted codes L7260 and L7261, and removes any reference to any one specific product.

As a reminder, CMS also released two new "K" codes, which became effective on October 1, 2014, to describe off the shelf (OTS) versions of custom fitted knee orthoses described by L1843 and L1845. The two new K codes and their descriptors are as follows:

K0901 - Knee orthosis (KO), single upright, thigh and calf, with adjustable flexion and extension joint (unicentric or polycentric), medial-lateral and rotation control, with or without varus/valgus adjustment, prefabricated, off-the-shelf

K0902 - Knee orthosis (KO), double upright, thigh and calf, with adjustable flexion and extension joint (unicentric or polycentric), medial-lateral and rotation control, with or without varus/valgus adjustment, prefabricated, off-the-shelf

## **Code Descriptor Changes**

One code had its official descriptor changed. The L7367 now includes the word “rechargeable”.

Code	New Descriptor	Old Descriptor
L7367	Lithium ion battery, <u>rechargeable</u> , replacement	Lithium ion battery, replacement

AOPA's Coding and Reimbursement Committee will review the list of changes and provide appropriate comments to CMS.

Registration is still open for the December 10, 2014 at AOPAversity webinar that will focus on the changes to the HCPCS codes and their potential impact on O&P providers' as well as reviewing any other upcoming changes which may impact you in 2015. [Register here.](#)

Questions regarding the code changes may be directed to Joe McTernan at [JMcternan@AOPAnet.org](mailto:JMcternan@AOPAnet.org) or (571) 431-0811, or Devon Bernard at [DBernard@AOPAnet.org](mailto:DBernard@AOPAnet.org) or (571) 431-0854.

### **2015 AOPA National Assembly Exhibit Space is NOW AVAILABLE!**



AOPA is currently organizing its 2015 National Assembly, which is the country's oldest and largest meeting for the orthotic, prosthetic, and pedorthic profession in the United States. Expand your knowledge, grow your market presence, and advance your career at this unique gathering of high visibility and importance.

Exhibiting here will give you the opportunity to:

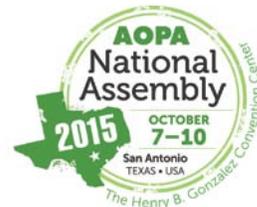
- Build your customer base and increase sales by meeting with Owners who actually make the final decisions on purchases.
- Experience face-to-face time with existing customers to answer questions and build new relationships.
- Enjoy sponsored networking opportunities, including an opening reception in the exhibit hall.
- Take advantage of fun traffic-building opportunities.
- Take advantage of education sessions to learn what's happening with regulatory agencies that affect the success of your product.
- Increase visibility for your company/organization in a targeted market.
- Host a Manufacturer's Workshop and/or Product Preview Theater presentation.
- Speak to AOPA reimbursement experts who can answer all your O&P coding, reimbursement and compliance questions.
- Hear from top researchers and clinicians to learn what products and support is needed from manufacturers.
- Participate in key education programs and plenary sessions.
- Be a part of the largest exhibit hall in the US for the orthotic, prosthetics and pedorthic profession, and much more!

More information on exhibiting can be found [here](#). For any exhibitor questions, please contact Kelly O'Neill at [KOneill@AOPAnet.org](mailto:KOneill@AOPAnet.org) or (571) 431-0852

## Call for Papers: Become a Presenter at the 2015 AOPA National Assembly

### Share Your Expertise \* Advance Your Career \* Improve Patient Care Henry B. Gonzalez Convention Center in San Diego, Texas

AOPA is seeking high-quality education presentations for the 98<sup>th</sup> Annual AOPA National Assembly.



Your submissions, based on sound research and strong empirical data, will set the stage for a broad curriculum of highly valued clinical and scientific offerings at the 2015 AOPA National Assembly. All free paper abstracts for the 2015 AOPA National Assembly must be submitted electronically. Abstracts submitted by e-mail or fax will not be considered. All abstracts will be considered for both podium and poster presentations. The review committee will grade each submission via a blind review process, based on the criteria below and reach a decision regarding acceptance of abstracts.

- Relevance, level of interest in topic
- Quality of Scientific Content
- Quality of Clinical Content

**Clinical Free Papers** – Those wishing to present an Orthotic, Prosthetic or Pedorthic Free Paper should [submit here](#) to have their paper considered for presentation at the 2015 Assembly. The top scoring papers will compete for the prestigious Thranhardt Award.

**Technician Program** – If you would like your Technical education paper considered for submission in the Technical Track, please [submit your paper here](#).

**Business Education Program** – Please [submit your business education paper here](#). The top papers will be considered for the prestigious Sam E. Hamontree, CP (E) Business Education Award.

**Symposia** – If you are interested in organizing a Symposium, then please [submit here](#).

**Student Poster Submissions** – Coming Soon

**Technical Fabrication Contest Submissions** – Coming Soon

Contact AOPA Headquarters at (571) 431-0876 or [TMoran@AOPAnet.org](mailto:TMoran@AOPAnet.org) with questions about the submission process or the National Assembly in general.

## Off-the-Shelf Final Rule: CMS Reverses Fields

### CMS Reverses Fields, Scuttles Current Process for Redefining Orthotics, and for Limiting Scope of Practice for Certified Orthotic Fitters

Late on Friday afternoon, October 31, CMS released the massive final rule covering end stage renal disease payments and a host of other topics, including its proposal to further amend the regulatory definition of “minimal self-adjustment,” and to redefine the



Medicare treatment of off-the-shelf and custom fitted orthotic devices. After receiving voluminous comments which the agency did not address, CMS simply recited a general synopsis of its July 2 proposal, and then announced what appears to be a deferment, at least for the present, on any final action on the orthotics section of the proposed rule. Of specific importance is the following statement found on page 445 of the final rule:

*At this time, we have decided not to finalize any changes to the definition of minimal self-adjustment in §414.402 to recognize as an individual with specialized training. We may address this provision in future rulemaking.*

You can read the [final rule](#) here.

AOPA is pleased that, at least in the near-term, our efforts in contesting the CMS proposal on OTS orthotics, and further expansion of the terminology of ‘minimal self-adjustment’ have borne fruit. Not only would the expanded definition violate the statutory definition but it would likely have expanded the number of OTS devices eligible for competitive bidding. As noted above, CMS released its final rule relating to the larger rule in which the OTS provisions were embedded, but they announced their decision to defer further action as to minimal self-adjustment, and declined to include any decisions dealing with off-the-shelf, or custom-fitted orthotics. One of the controversial parts of the proposal was a provision that would have limited certified orthotic fitters to patient care services relating ONLY to off-the-shelf orthotics, and that proposed policy now is not poised to move forward in any identifiable time frame. Similarly, the provisions that would have limited provision of custom-fitted devices by unlicensed, and unaccredited providers, and that would have identified physicians, NPs, therapists and certified orthotists as “persons with expertise” in the area of orthotics have also been dropped from any near-term implementation.

Of course, it is left for all of us to speculate on what prompted CMS to reverse fields and not move forward in the direction they had clearly intended just 4 months ago.

Was it the sheer volume of the 500+ comments from AOPA members AND their patients?

- Did the recent [Grassley-Harkin letter](#) to CMS Administrator Tavenner force top levels in CMS to apply the brakes?
- Did the O&P Alliance meeting with CMS Chronic Care Director Laurence Wilson on October 21 help shift the tide?
- Did data from Medicare’s own records analyzed by AOPA’s consultant, Dobson DaVanzo, showing that 19% of Medicare beneficiaries who receive a Medicare-provided OTS orthotic device, also subsequently receive a Medicare custom-fitted device, give pause to the underlying economic principles of CMS action?

We can only speculate, but we have gained, at least, a reprieve. That is very good news, and certainly justifies the energies and resources AOPA, its members and patients invested, as well as what the O&P Alliance and others in the profession have expended in opposing deficient parts of this CMS rule making.

AOPA plans to continue to maintain a high alert on these orthotic issues, hopefully leading to a sounder, more lasting treatment of orthotic devices by the Medicare program.

Any questions regarding this notice can be directed to Joe McTernan at (571) 431-0811 or [JMcTernan@AOPAnet.org](mailto:JMcTernan@AOPAnet.org).

## Last Chance to Register for the November 12 Webinar: Gifts: Showing Appreciation Without Violating the Law

Medicare has very specific rules about what you can and cannot do. What is and is not considered a kickback and how to acknowledge referral sources without getting into trouble. Also a general discussion of other types of activity that can be interpreted as a kickback.

- When gifts to referral sources are acceptable
- When gifts to patients are acceptable
- Federal Anti-Kickback regulation prohibitions
- Doing something nice vs. doing something illegal



The cost of participating is \$99 for AOPA members (\$199 for nonmembers) and any number of employees may partake on a given line. Attendees earn 1.5 continuing education credits by returning the provided quiz within 30 days and scoring at least 80%. [Register online.](#)

Contact Devon Bernard at [DBernard@AOPAnet.org](mailto:DBernard@AOPAnet.org) or 571/431-0854 with content questions. Contact Betty Leppin at [BLEppin@AOPAnet.org](mailto:BLEppin@AOPAnet.org) or 571/431-0876 with registration questions.

### Upcoming AOPA Events

- |              |  |
|--------------|--|
| Nov 12, 2014 | <i>Gifts: Showing Appreciation Without Violating the Law</i><br>Webinar Conference<br><a href="#">Learn more or register online here</a>   |
| Dec 10, 2014 | <i>New Codes and Changes for 2015</i><br>Webinar Conference<br><a href="#">Learn more or register online here</a>                          |
| Jan 14, 2015 | <i>Fill In the Blanks: VA Contracting and the New Template</i><br>Webinar Conference<br><a href="#">Learn more or register online here</a> |