



American Orthotic & Prosthetic Association

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AOPA In Advance SmartBrief

Breaking News

November 4, 2014

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AOPA Collaborates with ORTO Medical Care's 2014 Meeting in Madrid

Great News!

The United States of America will be the official guest country of Orto Medical Care 2014, the top orthopedic trade show of South Europe. In Madrid (Spain), November 20th and 21st, you will have the best stage for your products and the perfect meeting point for building relationships.



In collaboration with the American Orthotic & Prosthetic Association (AOPA), ORTO Medical is preparing an agenda (scientific and touristic) especially for American professionals. Please contact them if you are interested in a copy of the specially tailored agenda.

You can find the [list of exhibitors here](#).

Questions? Contact Cristina Mora at ortho2014@fedop.org or visit www.ortomedicalcare.com.

orto Medical Care 2014

FERIA DE LA ORTOPROTÉSICA, PRODUCTOS DE APOYO A LA DISCAPACIDAD
Y SERVICIOS PROFESIONALES A LA TERCERA EDAD

TRADE FAIR FOR ORTHOPAEDICS, TECHNICAL AIDS AND PROFESSIONAL SERVICES FOR THE ELDERLY

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.

<p style="text-align: center;">Jurisdiction A Publishes Pre-Payment Review Results for Lower Limb Prostheses and Spinal Codes</p>
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Lower Limb Prostheses with K3 Modifier

National Heritage Insurance Company (NHIC), the Jurisdiction A DME MAC on October 23, 2014 released the current results of its ongoing complex widespread pre-payment review of lower limb prostheses billed with a K3 modifier. For claims processed between June 12, 2014 and September 22, 2014, NHIC reviewed 229 claims and 101 were denied for an overall claim denial rate of 44%.

Based on the results of this review, NHIC has decided it will continue with the complex prepayment review of claims for lower limb billed with a K3 functional level modifier.

LSO's L0631 & L0637

NHIC also released the most recent results of its ongoing widespread pre-payment review for HCPCS codes L0631 and L0637. Starting on April 15, 2014 and ending on August 28, 2014, NHIC reviewed 1,279 claims, 1,065 of which were denied for an overall claim denial rate of 83%. The primary reasons for denial are as follows (a claim may be denied for multiple reasons):

- Missing or incomplete detailed written orders (30%)
- Missing or inadequate clinical documentation (39%)
- Missing or incomplete proof of delivery (28%)

Based on the high error rate of 83%, NHIC announced that the pre-payment review for L0631 and L0637 will continue.

Questions regarding this issue may be directed to Joe McTernan at JMcTernan@AOPAnet.org or Devon Bernard at DBernard@AOPAnet.org

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 98th Annual AOPA National Assembly. Share your expertise and advance your career by being part of the country's oldest and largest meeting for the orthotic, prosthetic and pedorthic profession.

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 to [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

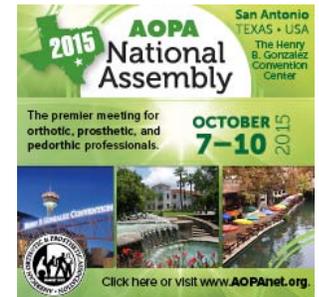
Technical Fabrication Contest Submissions – Coming Soon

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

Attention all 2014 National Assembly Exhibitors – Sign up for 2015 Now!

Exhibit space is still exclusively available for you at the 2015 National Assembly. The general sales campaign will begin on Monday, November 3rd.

AOPA is currently organizing its 2015 National Assembly, which will take place in San Antonio, TX on October 7-10, 2015 at the Henry B. Gonzalez Convention Center. This event, the oldest and largest of its kind in the United States, will feature dedicated tracks of the most relevant education for prosthetists, orthotists, technicians, pedorthists and business managers. Participants will also learn from attending MDs, PhDs, Wound Care Specialists, Research Scientists, Attorney's, Business Experts and Top-Notch Practitioners.



Exhibiting at this important event 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, prosthetic and pedorthic professions
- Much more!

If you didn't select a booth in Las Vegas, now's the time! Click here for [information on exhibiting](#). Contact Kelly O'Neill at KOneill@AOPAnet.org or 571/431-0852 with any questions.



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 or 571/431-0854 with content questions. Contact Betty Leppin at BLEppin@AOPAnet.org or 571/431-0876 with registration questions.

Upcoming AOPA Events

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