



American Orthotic & Prosthetic Association

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***Breaking News***  
**July 20, 2017**

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**Register Your Position on the Latest Senate Action on “Repeal and Replace”**

Senate action on a "repeal and replace" bill for the Affordable Care Act (ACA) is expected to move quickly, and will leave little time for people to register their comments. What do you need to know?

AOPA has meticulously looked at "repeal and replace" through the lens of three key issues - higher premiums linked to pre-existing conditions, essential health benefits, and Medicaid cuts - as these three have a profound impact on O&P patients, and therefore on the professionals who serve those patients. AOPA is NOT taking a position either in favor of, or opposed to the Senate bill. Here is the essence of how the new Senate bill could be expected to impact those three factors.

- The so-called Cruz amendment would permit insurers who offer at least one plan which complies with the ACA guidelines to also offer a number of less expensive plans, with lesser coverage. This is seen as driving down premiums. Risk pool negotiations have resulted in the likelihood that any impact this provision would have on prospect of higher premiums for those with pre-existing conditions would be modest.
- Another impact of the Cruz amendment is that it could serve to further undercut the essential health benefits, which already would be subject to potential state-by-state waiver revision/exclusion provisions. The less expensive plans that would be available could potentially result in short-cutting the essential health benefit-in the case of O&P, the rehabilitative and habilitative services assurances of ACA would be subject to being diminished or reduced.
- The new Senate bill has been described as generating Medicaid cuts - totaling \$772 billion over ten years. Clearly, any patient who's O&P costs are currently paid in some measure via Medicaid would be significantly less likely to be able to pay for their coverage.

Every AOPA member needs to look at this picture - the Affordable Care Act has proven to be significantly less than perfect, though it has increased the number of Americans with a modicum of insurance coverage. The Senate repeal and replace plan has readily identifiable shortcomings, costs and uncertainties. While there is not yet a CBO score on the latest version, CBO has consistently reported significant reductions in the number of insured Americans tracking to the repeal and replace bills.

### **If You Want to Register Your Position**

We have set up a mechanism on our AOPAVotes site to permit AOPA members to register to their Senators their position either in favor of the latest Senate repeal and replace, or opposed to the latest Senate repeal and replace bill.

If you are in favor of the latest Senate repeal and replace bill [you may use this letter](#).

If you are opposed to the latest Senate repeal and replace bill [you may use this letter](#).

AOPA will continue to keep you informed on key steps in the ongoing debate on repeal and replace which has the potential to markedly modify both the current and future environment for American health care.

<p><b>Committee Approved: Bipartisan Bills to Improve Medicare, Protect Taxpayers</b></p>
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In conjunction with our continuing efforts to advance the provisions of H.R. 2599/ S.1191, the Medicare Orthotics & Prosthetics Improvement Act, we are pleased to advise you that the provision which would assure that the prosthetist/orthotist patient notes are included as part of the official Medicare medical record for purposes of medical necessity determinations has been picked up in a larger bill, H.R. 3178, which has been approved and recommended by vote of the House Ways and Means Committee on Thursday, July 13, to the entire House for favorable action.

Clearly, if the expected approval by the entire House ensues, a similar action by the entire Senate would be required before the measure would go to the President for signature. There has been strong interest in the Senate Finance Committee in enacting S.1191 in its entirety, hopefully later this year. Last Thursday's action by the Ways and Means Committee, linked below, is very encouraging, and we both appreciate the strong support AOPA members and their patients have voiced for H.R. 2599/ S.1191; AOPA will keep you informed of additional steps toward enactment.

[Click here for the overall approval synopsis.](#)

#### **Level Four Announces James Button as CEO**



Level Four Orthotics and Prosthetics, Inc. announced the appointment of James Button as its new Chief Executive Officer. Previously, Button served as Chief Executive Officer of Allard USA, a company that in North America markets and sells orthotics manufactured in Europe and Asia.

Button has led the revitalization and growth of companies in a variety of industries including orthotics, business telecommunications systems, oil refining, entertainment transportation, and methanol production. Button started his career on Wall Street as an investment banker in corporate finance and later moved into private equity. Button earned a Master in Business Administration from the Harvard Business School and a Bachelor of Arts in economics and political science from the University of Rochester.

#### **AOPA Announces Winners of 2017-2018 Pilot Grant Awards**

In February, AOPA, in partnership with the Center for O&P Learning & Evidence-Based Practice (COPL), announced a Request for Pilot Grant Proposals in 16 potential areas of orthotic and prosthetic research including an open topic. A record 38 proposals were received in response to the request for proposals, and the board took the extraordinary step of choosing seven projects to fund, instead of the usual 3-4 projects. The previous years' projects, dating back to 2009, are available for review on [AOPA's website](#).

The 2017 COPL grants that are selected for funding are listed below:

- Sarah Anderson, La Trobe University, *Comparison of quality of life in people with partial foot or transtibial amputation*
- Brian Kaluf, BSE, CP, Ability Prosthetics and Orthotics, Inc., *Hydraulic and Microprocessor Controlled Ankle-Foot Prostheses for Limited Community Ambulators with Unilateral Transtibial Amputation: Pilot Study*
- Sarah Chang, PhD, Northwestern University, *A pilot study to evaluate the effects of the hydraulic ankle-foot prostheses on standing and walking in K2-level ambulators*
- Benjamin Padilla, MD, University of California San Francisco Benioff Children's Hospital, *The Effects of a Custom Pectus Carintum Orthosis on Dosing Response and Quality of Life*

- Eric Weber, CPO, FAAOP, Hanger Clinic - Department of Clinical and Scientific Affairs, *Mobility and Global Health among Users of Lower Limb Orthoses: The Establishment of a National Data Base*
- Chris Hovorka, Ph.D., CPO, LPO, FAAOP, Georgia Institute of Technology, *Gait and Motion Control Benefits of Custom Molded Passive-Dynamic AFOs versus Custom Fit Carbon Composite AFOs in Persons with Neuromuscular Impairment*
- Kenton Kaufman, PhD, Mayo Clinic, *Prevalence, correlates, and risk of prescription drug use and abuse in individuals with above knee amputations*

### **Enter AOPA Logo Contest**

AOPA is getting a new logo for 2018, and we need your help! We are reaching out to the O&P Profession and designers around the world to enter a contest to design the new logo. One winner will receive \$500, and the contest ends July 31, 2017.

AOPA has used a different variations of the same logo since 1967, and unveiled a special Centennial logo to use for 2017. Now, we are looking for a logo for 2018 and beyond. The theme is "advocacy to restore mobility".

[Learn more and enter here.](#) *Please forward this to any designers you know!*

### **DME MACs Clarify Requirements for Use of A5513**

On July 13, 2017, the DME MACs published a joint publication that addressed the proper use of HCPCS code A5513, which is used to described molded to patient model diabetic shoe inserts.

The joint publication indicates that in order to meet the requirements of the HCPCS code descriptor, diabetic inserts billed using A5513 must be molded over an actual model of the patient's foot. The use of generic, electronic or "virtual" models where custom fabrication occurs without creation of a physical model of the patient's foot does not meet the code descriptor, and diabetic inserts fabricated this way cannot be billed as A5513. According to the joint publication, inserts fabricated using generic, electronic or virtual models must be coded as A9270-Non-covered service.

AOPA is evaluating the impact of this clarification and will be discussing this issue with the DME MACs in the near future. The joint publication may be [accessed here](#).

Questions regarding this issue may be directed to Joe McTernan at [jmcternan@AOPAnet.org](mailto:jmcternan@AOPAnet.org) or Devon Bernard at [dbernard@AOPAnet.org](mailto:dbernard@AOPAnet.org).

### **RAC Audits for Custom Fabricated AFOs and KAFOs Announced**

Performant Recovery, the national Home Health, Hospice, and DMEPOS RAC contractor, has announced that it will be initiating a post-payment medical review for custom fabricated AFO and KAFO claims. Performant Recovery added the review to its list of approved issues

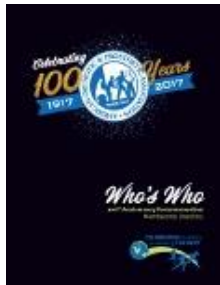
on July 7, 2017. Providers whose claims are selected for review will receive a letter from Performant Recovery requesting relevant documentation to support medical necessity for the orthoses that was provided.

If you receive an additional documentation request (ADR) from Performant Recovery, it is very important to respond - failure to do so will result in automatic claim denial and recovery of any payments previously made. As with all RAC reviews, specific rules are in place that limit the number of ADRs that O&P providers may receive to a maximum of 10 ADRs per Tax ID every 45 days.

The RAC audit for custom AFOs and KAFOs is the first O&P specific approved issue since the award of the new RAC contract to Performant Recovery. AOPA continues to monitor the RAC website to identify additional audit issues as they are announced. The RAC announcement on the audit of custom AFOs and KAFOs may be found by [clicking here](#) and searching for issue 0013.

Questions regarding this issue may be directed to Joe McTernan at [jmcternan@AOPAnet.org](mailto:jmcternan@AOPAnet.org) or Devon Bernard at [dbernard@AOPAnet.org](mailto:dbernard@AOPAnet.org).

### **AOPA's Centennial Directory Now Available to Case Managers**



As part of AOPA's 100 year anniversary activities, AOPA has produced our [Centennial membership directory](#). In addition to history and technology, the directory includes contact information for all 2017 AOPA members and a supplier listing with a detailed product index, making it helpful for networking and providing referrals. AOPA is pleased to announce that the directory is now being featured in the Commission for Case Manager Certification (CCMC) newsletter. CCMC is the largest membership organization for case managers, with a total of 47,874 members. A description and link to the downloadable directory will appear in their bi-weekly online newsletters for 7 weeks. Part of AOPA's mission is to help members raise awareness and understanding of the industry and the association. Case managers are an important link between patients needing referrals and AOPA members.

AOPA members can purchase additional copies of the directory in our bookstore.

### **AOPA is Looking for Legislative Contacts – Do you have a Relationship with a Legislator?**

AOPA needs a few good men and women to advance our advocacy efforts. Many AOPA members have treated a member of Congress, or member of their family. Or maybe you know a member of the U.S. House or Senate because you go to the same church, or your children go to the same school, or play on the same soccer team.

In the end, all politics is local. AOPA is starting a systematic plan to identify AOPA members who may either have such an existing relationship with their legislator, or are interested and have a path where they can develop such a relationship. Making a "cold call" and asking your legislator to help with something is hard - both for you as constituent and for your legislator, who clearly can't say "yes" to everyone. On the other hand, if you have built a relationship when there isn't an "ask," have invited your legislator to visit your practice, have educated him/her about the care you provide to their constituents, maybe have supported them at a fundraiser, then it becomes much more natural to ask for help when you really need it.

Contact Lauren Anderson at [landerson@AOPAnet.org](mailto:landerson@AOPAnet.org) with the name of your legislative contact.

### Register by August 7<sup>th</sup> for Early Bird Pricing to Attend the AOPA World Congress



AOPA is excited to share the great news of our new lower room rate at the Mandalay Bay. **Only \$125/night** for a great room during the World Congress at the Mandalay Bay Resort in Las Vegas! The room block will fill up early, so book your room today.

Register for the World Congress by **August 7** to register at the discounted early-bird rate!

AOPA and our 9 international partners welcome you to expand your knowledge, grow your market presence, and advance your career at this unique global gathering. [Register now.](#)



### O&P PAC Corner

The O&P PAC Corner provides information on the activities of the O&P PAC, including the names of individuals who have made recent donations to the O&P PAC and the names of candidates the O&P PAC has recently supported. The O&P PAC recently received donations from the following AOPA member(s)\*:

- David Boone, PhD, MPH
- Rod Cheney, CPO
- Jeff Collins, CPA
- Jim Kaiser, CP
- Teri Kuffel, Esq.
- William Leimkuehler, CPO
- Jeff Lutz, CPO
- Jon Naft, CPO
- Chris Nolan
- Michael Oros, CPO, FAAOP
- Rick Riley
- Brad Ruhl
- Matt Swiggum
- Jim Weber, MBA

The purpose of the O&P PAC is to advocate for legislative or political interests at the federal level, which have an impact on the orthotic and prosthetic community. The O&P PAC achieves this goal by working closely with members of the House, Senate and other officials running for office to educate them about the issues, and help elect those individuals who support the orthotic and prosthetic community.

To participate in, support and receive additional information about the O&P PAC, federal law mandates that eligible individuals must first [sign an authorization form](#), or contact Devon Bernard at [dbernard@AOPAnet.org](mailto:dbernard@AOPAnet.org).

\*Due to publishing deadlines this list was created on 07/20/2017 and includes only donations/contributions made/ received between 06/02/2017 and 07/20/2017. Any donations/contributions made/ received on/or after 07/20/2017 will be published in a future issue of the SmartBrief.

### Upcoming AOPA Events

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| August 9, 2017      | <i>What the Medicare Audit Data tells us &amp; How to Avoid Common Errors</i><br>AOPA Webinar<br><a href="#">Learn more and register here</a> |
| September 6-9, 2017 | <i>AOPA World Congress</i><br>Las Vegas, NV<br><a href="#">Learn more and register here</a>   |
| November 6-7, 2017  | <i>Coding &amp; Billing Seminar</i><br>Phoenix, AZ<br><a href="#">Learn more and register here</a>  |