Marilyn Tavenner Resigns from CMS
Read AOPA's Take on What it Means to You

Marilyn Tavenner announced her resignation as Administrator of the Centers for Medicare and Medicaid Services (CMS), effective at the end of February 2015. Administrator Tavenner, who was confirmed by the Senate by a vote of 91-7 in May 2013, served as Acting Administrator for several years before her permanent appointment.

AOPA's Take on this development is that while this resignation is certainly a significant event, it is not expected to bring fundamental change to CMS or how it operates in the near future. Keep reading at www.AOPAtake.org...

National O&P RAC Contract on Hold...For Now
Connolly Healthcare Contract Challenged by Performant Recovery

At the beginning of January, AOPA's Take announced the award of the contract to serve as the single, national RAC auditor for all Medicare DMEPOS, home health, and hospice claims to Connolly Healthcare, LLC. On January 6, 2015 a formal award protest was filed with the Government Accountability Office (GAO) by Performant Recovery, who currently serves as the Jurisdiction A RAC auditor. The GAO has added Performant's protest to its official docket and estimates that a ruling will be made by April 6, 2015.

The protest of the award of government contracts is not an unusual occurrence and actually happens quite regularly. Keep reading at www.AOPAtake.org...

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The Policy Forum is your best opportunity to learn the latest legislative and regulatory happenings and how they will affect you, your business and your patients, and then educate our Members of Congress. The Policy Forum will also offer you additional learning opportunities on important, relevant topics, to earn up to 10.5 CE's.

**O&P INDUSTRY LEADERS ATTEND THE INAUGURAL AOPA LEADERSHIP CONFERENCE**

Leaders Gather in Palm Beach, Florida for 2-Day Event

On January 9-11th more than 150 O&P industry leaders participated in the inaugural AOPA Leadership Conference held at the Eau Palm Resort & Spa in Palm Beach, Florida. While the stunning views and great weather outside of the meeting room proved to be quite a temptation, the group remained focused on the task at hand: discussing the ways to ensure the continued success of O&P as an industry despite the current and unforeseen challenges the industry faces. Read more [here](https://ui.constantcontact.com/visualeditor/visual_editor_preview.jsp?agent.uid=1119684521843&format=html&printFrame=true).

**AOPA SUBMITS COMMENTS ON CMS' PROPOSED RULE REGARDING ESSENTIAL HEALTH BENEFITS**

AOPA Encourages CMS to Include O&P in Definition of "Habilitative Services" and "Rehabilitative Services"; Reiterate Concern with States Defining EBH

On December 22, 2014, AOPA submitted extensive comments in response to a proposed rule issued by CMS entitled, "Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2016". This sweeping regulation proposed several updates to the Affordable Care Act that will go into effect in 2016, including a proposed definition of the term "habilitative services" as it relates to provision of essential health benefits under the requirements of the Affordable Care Act.

AOPA’s comments encouraged CMS to include prosthetics and orthotics in any standard definition of habilitative services and also encouraged CMS to establish a standard definition for the term "rehabilitative services" that also specifically included orthotics and prosthetics. AOPA’s comments also reiterated AOPA’s concern regarding the decision to allow individual states to define essential health benefits through the use of benchmark plans. AOPA pointed out several inconsistencies within coverage parameters that have already occurred through delegation of authority to the states regarding essential health benefits.

The Office of Personnel Management released an almost identical proposed rule around the same time as the CMS proposed rule. AOPA submitted essentially identical comments on this proposed rule as the comments that were submitted to CMS. AOPA’s full comments may be viewed [here](https://ui.constantcontact.com/visualeditor/visual_editor_preview.jsp?agent.uid=1119684521843&format=html&printFrame=true).

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