



American Orthotic & Prosthetic Association

www.AOPAnet.org

## **AOPA In Advance SmartBrief**

*Breaking News*

May 26, 2015

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### **Upcoming Events**

#### **Advocacy in NY State Leads to Elimination of One Limb per Lifetime Policy**

An intensive, three month long advocacy effort by O&P professionals in New York state has led to a significant victory through a reversal of policy in the New York State Healthcare Exchange benchmark plan that limited coverage for artificial limbs to one prosthesis, per limb, per lifetime. In a letter dated May 17, 2015, Donna Frescatore, the Executive Director of the New York State Health Exchange indicated that the benchmark plan will be altered, effective January 1, 2016 to include coverage for the cost of repairs to and replacement of artificial limbs for both children and adults covered by the plan.

This reversal of an overly restrictive and unfair policy that limited coverage to one prosthesis per limb, per lifetime was the direct result of the tireless advocacy efforts of O&P practitioners in New York, who received direct support in their efforts by the Amputee Coalition and the National Association for the Advancement of Orthotics and Prosthetics, as well as broad support from industry groups such as AOPA and the O&P Alliance. The coalition that challenged this policy was extremely well organized and sent a very powerful message to lawmakers and policymakers in New York who had the authority to make this change, that beneficiaries must be treated fairly and have reasonable access to exchange based healthcare benefits that are required under the Affordable Care Act.

AOPA continues to support grassroots advocacy across the country and is encouraged by the victory in New York. The only way to create change is to make sure that your voice is heard.

## AOPA & Congress Team up to Hold HHS to Task on OTS Orthotics

Below is the text of an email AOPA Executive Director, Tom Fise, JD, sent to AOPA's Board of Directors and allied organizations announcing the success of the [sign-on letter](#) that obtained the wide support of members of Congress responding to the full court press AOPA members and the other O&P organizations.

*"I am pleased to enclose a copy of the final letter to HHS Secretary Sylvia Burwell, led by Reps. Ryan Costello (R-PA) and Tammy Duckworth (D-IL) and signed by a total of 26 Members of the House of Representatives. As you can see, the letter: (1) presses HHS/CMS to revise the regulatory definition of off-the-shelf orthotics in 42 C.F.R. § 414.402 to conform with the statutory definition, recognizing the clear meaning and limitation of "minimal self-adjustment" (as previously stated in the prior letter from Senators Grassley and Harkin, October, 2014); (2) modify the OTS list and codes to eliminate from that list any device which does not meet fully and unambiguously the statutory definition of OTS orthotics including "minimal self-adjustment;" and (3) reverse the DME MAC action of August 15, 2014 as inconsistent with the APA and an open rulemaking process, and excise the resulting February 18, 2014 FAQ.*



*"AOPA launched the efforts targeted at this letter, but we need to say 'thank you' to a large number of people for helping to carry the effort forward. These include: (a) attendees at the 2015 AOPA Policy Forum who personally requested their legislators to send this message [and those who used AOPAVotes (roughly 700 letters) and other vehicles to write this request to their legislators]; (b) our partner organizations in the O&P Alliance and its Counsel, Peter Thomas, who fostered similar strong efforts advocating for the letter; (c) AOPA's lobbying teams from Alston & Bird and McGuireWoods, and others for relentlessly pushing this message over the past 7 weeks; and (d) Members of Congress and their staffs, and most importantly the staffers of Reps. Costello and Duckworth, who were steadfast in advancing the letter.*

*"IF HHS/CMS takes this message seriously, it would mark both the conclusion to a 15-year struggle to get Medicare to implement and enforce the provisions on licensure and accreditation for O&P that Congress enacted in Section 427 of BIPA 2000, AND reverse Medicare's misguided effort to expand the relatively narrow category of off-the-shelf orthotics beyond the strict terms of the definition Congress wisely established with the "minimal self-adjustment" criteria, remedying both errant, overly expansive rules CMS promulgated in 2007, as well as CMS' failure to finish the proposed rule on OTS orthotics that it initiated in July, 2014 and seemingly abandoned in October, 2014.*

*So, thanks to all, and we will keep everyone posted on feedback as we receive it from CMS and key members of Congress on this issue."*

[Read the letter to HHS Secretary Burwell.](#)

## Amputee Coalition Consults in Department of Defense Research Reviews



amputee  
coalition™



The Department of Defense (DoD) has announced two Amputee Coalition-certified peer visitors/peer review advocates have participated in research evaluation reviews for a \$10 million orthotics and prosthetics research project.

Along with a group of distinguished scientists, Robert Haas of Columbus, Ohio and Tom Coakley of Canton, New York consulted in the evaluation of research applications submitted to the Orthotics and Prosthetics Outcomes Research Program (OPORP), sponsored by the DoD. The OPORP Orthotics and Prosthetics Outcomes Research Award (OPORA) is being offered for the first time in fiscal year 2014 (FY14).

Both transtibial amputees, Haas and Coakley are active in Amputee Coalition programs. They were nominated by the Amputee Coalition for their expertise as certified peer visitors/peer review advocates. The group reviewed approximately 104 research applications.

In 2013 AOPA members sent hundreds of letters, and made calls and personal visits to their legislators in support of S. 521 (which included a provision for the outcomes research funding and was used in the DoD budget). AOPA consultant Catriona Macdonald of Linchpin strategies worked closely with Sen. Dick Durbin to develop this funding and consulted on areas where the funds would be best used. More information about the Department of Defense Orthotics and Prosthetics Outcomes Research Program is available at [cdmrp.army.mil](http://cdmrp.army.mil).

## Support AOPA's Government Relations Outreach

During the 2015 National Assembly in San Antonio, AOPA will be hosting the 8<sup>th</sup> Annual Wine Tasting & Auction. This exciting event provides attendees with a unique opportunity to mingle, network, learn about and taste a variety of wines, but most importantly raise awareness of and funds for AOPA's Government Relations outreach programs. Let's keep the tradition of success alive and make the 8<sup>th</sup> Annual Wine Tasting & Auction the best ever.



Your special donations are what make this event unique and successful. Your attendance is what makes it fun! Your donation may be one of the gems of your cellar, jewelry, artwork, wine glasses, a bottle of your favorite spirit, cigars, craft beer, etc. We also have a team of personal shoppers who can locate that perfect item for you if you would prefer to make a monetary donation. [The donation form is available here.](#) We look forward to seeing you at the 2015 National Assembly and the 8<sup>th</sup> Annual Wine Tasting & Auction. Contact Devon Bernard at [dbernard@AOPAnet.org](mailto:dbernard@AOPAnet.org), or 571/431-0854 with any questions.

## The Key to Better Business: 2015 Operating Performance and Compensation Survey



Better business performance starts with measuring key financial indicators and comparing where you are in relation to similar businesses. For a reasonably small investment of your time, AOPA's 2015 Operating Performance and Compensation Survey will provide the data you need to develop specific strategies to gauge and improve the health of your business.

If you've ever wondered if your employees are generating enough sales, or how your spending on materials, advertising, or other expenses compares with similar companies, you will want to participate in the 2015 Operating Performance and Compensation Survey, mailed to members May 1.

The survey takes about 60 minutes to complete and can be returned by fax, or completed online at [www.aopa-survey.com](http://www.aopa-survey.com). The online form has a "save and return" capability which allows you to complete the survey in multiple sittings, if needed. You may also submit your raw data to Industry Insights and they will enter it for you.

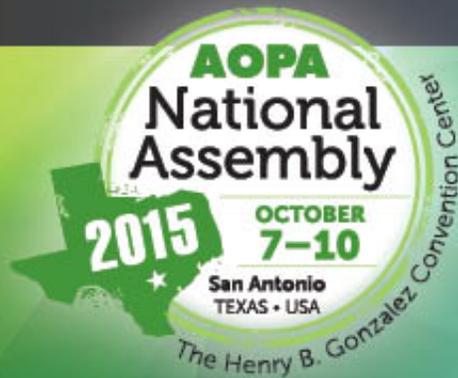
AOPA members who participate in the survey receive:

1. **FREE** customized Company Performance Report, comparing your organization with others of similar size and location. (*A private consultant would charge hundreds of dollars for such a report.*)
2. **FREE** copies of the two published reports: 2015 Operating Performance Report and 2015 Compensation Report – valued at \$570.
3. **FREE** Mastering Medicare Webcast series – a \$693 value. You or your colleagues can earn 13.5 CE credits when scoring 80% or higher on the webcast quizzes.

**It's hard to improve if you don't know where you are starting from.**

Contact Betty Leppin at [bleppin@AOPAnet.org](mailto:bleppin@AOPAnet.org) or 571/431-0876 with questions.

## AOPA Assembly Registration is Open!



### AOPA Brings the Big Picture Together in San Antonio, Texas!

Practitioners, physicians, technicians, fitters, students, educational instructors, facility owners, marketing personnel, residents, office managers, billing specialists, researchers, manufacturers, distributors and suppliers of O&P products and services should come to San Antonio to stay on the edge of their profession and to mix and mingle with other top professionals from across the country and around the world. Up to 36 CE credits will be available at this fabulous AOPA National Assembly.



### Registration is Open

for the 2015 AOPA National Assembly, Oct. 7-10, 2015, in San Antonio, Texas. Visit [www.AOPAnet.org](http://www.AOPAnet.org).

#### Plus, at the 2015 AOPA National Assembly,

- **CHOOSE FROM FIVE EDUCATION TRACKS** providing you with an expanded menu of relevant education for orthotists, prosthetists, pedorthists, technicians, and business managers.
- **ATTEND SCIENTIFIC PROGRAMS** focused on Gait, Neuro-Orthopaedics, Upper Limb O&P, Socket Fit, Treatment of Dyscascular Foot Disease and more that will further sharpen your clinical skill.
- **PARTICIPATE IN TOP-TECHNICAL EDUCATION**, including hands-on demonstrations of 3-D printing.
- Partake in an innovative **FOUR DAY PEDORTHIC EDUCATION** track focused on diabetic treatment, wound care and other pedorthic care from a faculty of physicians, wound care experts and diabetes educators that will put you far ahead of the game in your pedorthic patient care delivery.
- Participate in unprecedented **BUSINESS EDUCATION** featuring experts in O&P business management, documentation, coding and billing, healthcare reform and marketing.
- **LEARN THE STEPS YOU CAN TAKE TO AVOID RAC/ PRE-PAYMENT AUDITS** and succeed if you are audited. Hear the current impact of OTS Orthotic Codes on your business. Review recent audit results, and learn how to turn challenges into opportunities, and strategies into revenue without breaking the rules.



#### Make the Alumni Connection

When completing your Assembly registration, be sure to include your graduating school and year so you can be invited to connect with other alumni from your school. (Even if it is the school of hard knocks, connect with your classmates.)

- Connect with your classmates through Mobile App – your school will be set up as a networking group
- Proudly wear your school button which will be provided at registration
- Join your friends at the Welcome Reception where you will find a table and message board for your school
- Meet your friends at Informal social gatherings.

To register online, visit [www.AOPAnet.org](http://www.AOPAnet.org), and also find updates and additional information.

## Register for the AOPAversity Webinar: Stay Out of Trouble: Building a Medicare Approved Compliance Plan

**June 10, 2015, 1:00-2:00 PM EST**

In today's environment of increased provider scrutiny, a well designed, effective compliance plan is a necessity. The ability to make sure your own billing practices are sound may prevent unnecessary audits down the road. Join AOPA for its June webinar, "Stay Out of Trouble: Building a Medicare Approved Compliance Plan"

Topics for discussion will include the following:

How to establish and manage an efficient Compliance Plan

- The need to have a dedicated company Compliance Officer
- OIG guidance on the 7 fundamental elements of an effective compliance plan
- Taking action when compliance deficiencies are discovered
- How and when to perform self-audits
- Providing appropriate compliance training to your staff



AOPA members pay \$99 (nonmembers pay \$199), and any number of employees may participate on a given line. Attendees earn 1.5 continuing education credits by returning the provided quiz within 30 days and scoring at least 80 percent. [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

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| June 10, 2015    | <i>Stay Out of Trouble: Building a Medicare-Approved Compliance Plan</i><br>Webinar Conference<br><a href="#">Learn more or register online here</a> |
| July 8, 2015     | <i>Who's on First? Medicare as a Secondary Payer</i><br>Webinar Conference<br><a href="#">Learn more or register online here</a>                     |
| July 13-14, 2015 | Essential Coding & Billing Techniques Seminar<br><i>Philadelphia, PA</i><br><a href="#">Learn more or register online here</a>                       |