



American Orthotic & Prosthetic Association

www.AOPAnet.org

## **AOPA In Advance SmartBrief**

*Breaking News*

August 13, 2015

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### **AOPA Meets with Deputy Administrator of CMS Regarding the Proposed LCD for Lower Limb Prosthetics**

On Tuesday afternoon, August 11, AOPA had a meeting with the Deputy Director of CMS, Sean Cavanaugh, to discuss the DME MACs LCD Lower Extremity Prosthetics Policy Article published July 16, 2015. The AOPA delegation included: Charlie Dankmeyer, CPO, Dr. Paul Pasquina (AOPA Prosthetics 2020 Medical Advisory Board Member), Sam Liang (Hanger Clinics), Brad Ruhl (Ottobock), Michael Park (Alston & Bird), Peter Thomas (Powers Pyles), and AOPA Executive Director Thomas Fise.

This meeting was to the best of our knowledge the first opportunity for anyone from the O&P community to alert and present our serious concerns about the LCD to the top leadership at CMS.

We started by asserting our patient-centric objective and outlined the fact that this errant policy could potentially impact ALL 2 million amputees in America (as private payers follow Medicare's lead) and their roughly 10 million services per year, reverting amputees to the standard of care and limb technology of the 1970s. We informed Mr. Cavanaugh that if enacted this policy would dramatically and adversely impact patient standards of care.

We challenged the dearth of scientific support for the policy, and provided an overview of the prevailing CMS/DME MAC perception driven by the 2011 OIG report that showed substantial increases in dollars expended for prosthetics from 2005-10. During this same period we experienced a quantum leap into the advanced technologies spawned by Iraq/Afghanistan. CMS interpreted the OIG report as suggestive of fraudulent activity which in turn triggered the massive audits. Starting with 2010-13 the converse picture is clear from Medicare data—incremental DECREASES in total Medicare payment for prosthetics every year, and an even steeper downward slope each year in payments for K3 technologies, accompanied by a steady increase in payments for K1 and K2 technologies.

We explained to Mr. Cavanaugh that the behavior of CMS officials and their contractors tells us that they are still living the 2005-10 data and seem to be behind in recognizing that the entire trend line from Medicare's own data shows a 180 degree reversal of direction. We concluded by reiterating the O&P Alliance request for **rescission of this policy** and we pledged to work in earnest with CMS, the DME MACs and other stakeholders around a new direction, starting with a proposed demonstration project through the CMS Center for Innovation that would update coding, that would be evidence-based, benefit patients and be value-based. All of the things that this proposal is not. Dr. Pasquina completed the session with a comprehensive overview of improvements in patient care over the past 10-15 years, and a plea not to allow this progress to be further reversed by a misguided new policy. Mr. Cavanaugh appeared to understand the points we made. He recommended we also meet with the CMS Office of Clinical Standards and Quality, a suggestion we had expected and plan to pursue as this group also has a key role on these issues. He offered that we should feel free to come back to him as needed. It was a good start to a dialogue that must continue toward putting aside this proposed LCD revision and moving forward with a sounder approach to any updating of the LCD on lower extremity prosthetics.

<p style="text-align: center;"><b>H.R. 3414: Veterans Access to Orthotic and Prosthetic Care Act Introduced in the House</b></p>
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Rep. Stivers, Steve R-OH-15 has introduced H.R. 3414: Veterans Access to Orthotic and Prosthetic Care Act. The bill would ensure that the VA prosthetists and orthotists are certified and/or licensed (in licensure states) in compliance with BIPA 427. The text of the main provision is listed below:

SEC. 2. Improvement of certification and licensing of employees and laboratories of Department of Veterans Affairs that furnish prosthetic and orthotic services.

- (a) Certification and licensing of employees.—Beginning not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall ensure that each prosthetist and orthotist of the Department of Veterans Affairs, and each employee of the Department that provides prosthetic or orthotic services (as determined by the Secretary), meets all current certification and licensing requirements applicable to such prosthetist, orthotist, or other employee, as the case may be, consistent with the provisions of section 427 enacted for the Medicare program in BIPA 2000. See the full bill and follow its progression [here](#).

## Patient Postcards on LCD Policy - Print your Own Now

As most of the O&P world is now aware, the recently released LCD Draft Lower Limb Policy would be catastrophic for patient care as well as your business. As promised, AOPA in conjunction with the Amputee Coalition has mailed you postcards that patients will use to submit comments to the Medicare contractors. All AOPA members have either received, or will receive shortly ten postcards for distribution to patients.

**But you can print postcards now to start distributing to patients.**

**Follow these steps to print your own postcards (with postage pre-paid):**

1. Print the [postcard](#), double-sided, on 80 lb paper (this is thicker than regular paper). Make sure the letter and the address portion line up on the bottom half.
2. Have the patient sign, and cut the bottom half to drop in the mail to AOPA. The postcard is pre-paid and will come to AOPA as a self-mailer ONLY if these directions are followed.
3. Another alternative is printing the postcard on regular paper and mailing the letter in an envelope to AOPA, with a stamp, and/or waiting until you receive the pre-printed postcards in the mail.



And remember, patients *and* practitioners can submit comments through [www.AOPAvotes.org](http://www.AOPAvotes.org).

## ICD-10 Conversion Tool Available Free for Members

ICD-9 to ICD-10

ICD-10 to ICD-9

Submit

There is less than two months remaining until the October 1, 2015 deadline, when the nation switches from ICD-9 to ICD-10 coding for medical diagnoses and inpatient hospital procedures. AOPA has partnered with the Coding Institute to provide [an ICD-10 conversion tool](#) to AOPA members. This free membership benefit allows you to quickly find a corresponding ICD-10 code(s) simply by typing in any ICD-9 code.

## Tee off with AOPA at the 2015 Topgolf Event



**TOPGOLF** is the premier golf entertainment complex where the competition of sport meets your favorite local hangout. This event promises to be great fun for golfers and non-golfers alike. Come join us on Friday, October 9, during the AOPA National Assembly. Support two great causes, AOPA's Capitol Connection and OPAF & The First Clinics. Strengthen OPAF's efforts and the legislative, research and education efforts of the Capitol Connection; challenge yourself, colleagues, customers, and family to a

new kind of golf experience that combines competition with entertainment. Players hit micro-chipped golf balls at targets on an outfield. Just picture a larger-than-life-sized outdoor dartboard—but for golf. And for a little friendly rivalry, the high-tech balls instantly score each shot's accuracy and distance. Tickets are \$125 each and include:

**Club rental**

**Transportation via luxury motor coach**

**Great food**

**Two drink tickets for alcoholic beverages and unlimited non-alcoholic beverages**



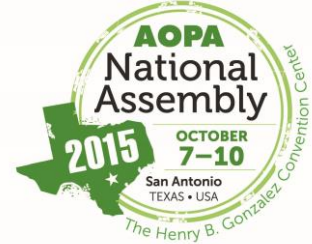
To register for the event, simply sign up on your meeting registration form. If you've already submitted your registration form and want to add Top Golf, please contact AOPA staff at (571) 431-0836 or [rgleeson@aopanet.org](mailto:rgleeson@aopanet.org). Sponsor sign up is online at <https://aopa.wufoo.com/forms/top-golf-sponsor-sign-up/>.



- [Registration](#)
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## O&P Symposium: Enhancing Your Clinical Practice

Recent advances in O&P technology and the therapeutic interventions have great potential to improve function for individuals who have experienced lower extremity trauma. These advances have wide ranging implications for prosthetists/orthotists, physical therapists and physicians. The following topics will be addressed in the context of completed and ongoing research from the Center for the Intrepid (CFI) at San Antonio Military Medical Center, including the experience of caring for injured service members.

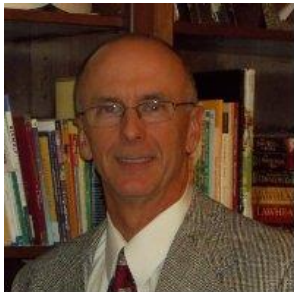


- Rapid translation of research findings from the Military Performance Laboratory into the clinical care of patients.
- Benefits and limitations of the latest prosthetic devices, and how device choice can impact an individual's ability to perform specific activities.
- Compare and contrast how conventional carbon fiber feet, powered prosthetic devices and dynamic carbon fiber ankle foot orthoses differ in the way they restore limb function.
- Costs and benefits of implementing objective outcome assessments as part of clinical care.
- Importance of device specific physical therapy training on resulting outcomes for advanced orthotics like the Intrepid Dynamic Exoskeletal Orthosis.

### When:

Friday, October 9 at 2:00 – 3:15 PM

### Meet the Expert Panel from the Center for the Intrepid



John R. Ferguson, L/CPO, is the Chief Prosthetist at the Center for the Intrepid at San Antonio Military Medical Center. He trained in O&P at UCLA and Northwestern University. He is currently an adjunct faculty for the Army Baylor Doctoral Physical Therapy Program and the UT Southwestern O&P program. He has lectured extensively on all topics regarding lower limb prosthetics, has many peer reviewed articles, and has authored multiple book chapters. He and his staff continue to treat the most complex patients seen as a result of battlefield injury.



Jason M. Wilken, PhD, PT, is the Director of the Military Performance Laboratory at the Center for the Intrepid at Brooke Army Medical Center and adjunct faculty at the U.S. Army-Baylor University Doctoral Program in Physical Therapy. He earned his master's degree in Physical Therapy and PhD in Rehabilitation Science from the University of Iowa. As Director of the Military Performance Laboratory, he directs an active research mission focused on maximizing physical function in individuals who have been injured during military service. Current research efforts include assessment of advanced O&P technologies and development.



## Rehab Systems O&P Technologies Add Member to Staff



Rehab Systems Orthotic and Prosthetic Technologies recently announced Brian Greer, CP, BOCO, has joined its staff as a prosthetist/orthotist. Greer holds a bachelor's degree in health science from California State University, Dominguez Hills. He completed his residency in Apple Valley, Calif. He has 13 years of clinical experience.

## Exclusive Offer for AOPA in Advance Readers



For information about the show, scan the QR code with a code reader on your smartphone or visit [www.AOPAnet.org](http://www.AOPAnet.org).

**O&P Almanac readers are invited** to tour the AOPA National Assembly Exhibit Hall on Saturday, October 10 at the Henry B. Gonzalez Convention Center in San Antonio. You may choose to pre-register online at [bit.ly/aopa2015](http://bit.ly/aopa2015) and use the promocode OPALMANAC (Be sure to select the registration category, Exhibit Hall Only and then Saturday, Oct. 10) or you may choose to bring the adjacent coupon to the registration desk in San Antonio. Earn 3 ABC Category II and 5 BOC Category II CE credits for completing the Exhibit Hall form onsite.

**Valid for Admission to the AOPA National Assembly Exhibit Hall Only on Saturday, October 10, 2015**  
Henry B. Gonzalez Convention Center  
San Antonio, Texas

free admission **\$75 Value** free admission

Cannot be combined with any other offer. Valid on Saturday, October 10 only.  
Compliments of  **ALMANAC**

AOPAnet.org 

## Upcoming AOPA Events

September 9 *Prior Authorization, How Does it Work*  
Webinar Conference  
[Learn more or register online here](#)

Oct 7-10, 2015 *AOPA 2015 National Assembly*  
San Antonio, TX  
[Learn more or register online here](#)