



American Orthotic & Prosthetic Association

www.AOPAnet.org

## **AOPA In Advance SmartBrief**

*Breaking News*

February 7, 2017

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### **Upcoming Events**

#### **CMS Announces Next Round of Competitive Bidding-OTS Orthoses ARE NOT Included**

On January 1, 2017, the Centers for Medicare and Medicaid Services (CMS) announced that the next round of DMEPOS competitive bidding will begin on January 1, 2019. This program, referred to as Competitive Bidding 2019, will consolidate all current Medicare DMEPOS competitive bidding programs into a single competitive bidding program.

Once again, Off the Shelf (OTS) orthoses are not included as a benefit category that will be included in Competitive Bidding 2019. While OTS orthoses have been identified as a product category eligible for inclusion, and the creation of the “split” code set several years ago appear to set the stage for their eventual inclusion, CMS has decided not to include OTS orthoses in competitive bidding to date.

While this appears to be a positive development, legislative changes can always occur that may change the way the Medicare competitive bidding program is implemented. AOPA will continue to follow developments on this issue closely. [Click here to read the full announcement on the CMS DMEPOS competitive bidding website.](#)

## AOPA's Commemorative Centennial Website is Now Live!

We are pleased to present our new website commemorating our 100 year anniversary – [www.AOPA100.org](http://www.AOPA100.org). The website features AOPA's history, an interactive timeline, photo gallery, O&P stories from AOPA members, and AOPA's plans for the future. Listen to stories from other AOPA members and submit your own, and share photos for our photo gallery.



Don't forget to follow AOPA on social media for Throwback Thursday posts all year long! #aopa100!



## Medicare Reconsideration Appeals Contractor Announces Expansion of the Formal Telephone Discussion Demonstration

C2C Innovative Solutions, the Medicare appeals contractor who processes all DMEPOS appeals at the second level, also known as reconsideration, has announced implementation dates for its expansion of the formal telephone discussion demonstration. This program, currently limited to DMEPOS claims in Jurisdiction C and D, will be expanded to include claims for orthoses as of February 17<sup>th</sup> and claims for prostheses as of March 17<sup>th</sup>. Claims for therapeutic shoes were added as of January 17<sup>th</sup>.

The formal telephone discussion demonstration is an opportunity for providers to interact directly with the medical review staff at C2C in an attempt to resolve issues that caused the claim to be denied by the DME MAC and subsequently denied at the redetermination level of the appeal process. To date, the demonstration has proven to be very successful with a denial overturn rate approaching 86%.

The recent announcement of the expansion of the program to both orthotic and prosthetic services provides a welcome opportunity to potentially avoid the significant delay and backlog that currently exists at the Administrative Law Judge (ALJ) level of the appeals process. Unfortunately there is no way to "sign up" for this program. Your claim(s) must be selected for review by representatives of C2C solutions. In addition, because this program was established as a demonstration project, there must be a study group (Jurisdiction C and D) and a control group (Jurisdiction A and B). As a result, it is unlikely that the demonstration project will be expanded beyond Jurisdiction C and D.

In addition to the announcement of the expanded program, C2C has indicated that they have been authorized by CMS to overlook some common reasons for claim denial if the whole of the records support the medical need for the claim. An example of this authority is the ability to overturn denials based on a missing signature on a medical record. Cases where medical necessity is lacking will continue to be denied at reconsideration.

Overall, this is a tremendous opportunity for O&P providers and AOPA members who are contacted by C2C with an invitation to participate should take full advantage of the opportunity. [Read the summary of Medicare appeals final rule 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).

### Sign Up for the February 8th AOPA Webinar

Don't miss this month's webinar: [LSO/ TLSO Policy](#)

What do you need to know about documentation? Earn 1.5 credits during the February 8th webinar and learn everything you need to know. [Click here to register.](#)

February 2017

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1:00 PM Eastern

- Review which LSOs and TLSOs require PDAC approval
- Review when to use the CG modifier
- Review hospital/SNF billing for LSOs and TLSOs
- Review what type of documentation and ICD-10 codes required for coverage

### Register for the April Coding & Billing Seminar in Denver, CO

#### *The AOPA Coding & Billing Experts are Heading to Denver, Colorado, April 10-11*

AOPA experts provide the most up-to-date information to help O&P Practitioners and office billing staff learn how to code complex devices, including repairs and adjustments, through interactive discussions with AOPA experts, your colleagues, and much more. Meant for both practitioners and office staff, this advanced two-day event will feature breakout sessions for these two groups, to ensure concentration on material appropriate to each group.

#### At this seminar you will:

- Receive up-to-date information on Prior Authorization and other Hot Topics
- Ensure your Proof of Delivery meets Medicare Requirements
- Learn how to assess risk areas in your practice
- Learn successful appeal strategies and hints to avoid claim denials
- Practice coding complex devices, including repairs and adjustment
- Attend break-out sessions for practitioners and office staff
- Earn 14 CEs



[Register Now](#)

## Reserve Your Rooms Now for the AOPA 2017 Policy Forum



### [Mark Your Calendars!](#)

You may now reserve your hotel rooms for AOPA's 2017 Policy Forum being held May 24-25 in Washington, DC. The Policy Forum is your best opportunity to learn the latest legislative and regulatory details and how they will affect you, your business and your patients. Make your voice heard by meeting with your Members of Congress to offer common sense solutions and share how the O&P profession restores lives and puts people back to work.

## An Interim Report from the AOPA Board Meeting Relating to the Proposed Regs under BIPA 427; and In Depth Summary of the Proposed Regulations

As was stated in our previous notice, AOPA greatly applauds CMS for finally releasing the Proposed Regulation under BIPA 427. The proposal is far from perfect. That, coupled with: (a) the start of the new Trump Administration and the prospect that the Administration could easily view the Proposed regulations unfavorably as an effort to regulate business; and (b) the fact that all signs indicate there is likelihood of several business interests in potential opposition to the rule make it critically important that AOPA, AOPA members and everyone in the prosthetics and orthotics community provide thoughtful and comprehensive comments by the March 13 deadline.

The AOPA Board of Directors met on Monday, January 16 to discuss key aspects of AOPA's position. The most dominant takeaways from those deliberations were that:

- (1) AOPA will establish a 2-3 week "listening period" when we will invite and encourage AOPA members to review the ten or so categories of potential concerns which likely will need to be addressed in AOPA's comments, AOPA will be surveying members, that is, inviting input from members around a series of questions we will frame around aspects of the proposed regulation; and
- (2) AOPA has created a committee of Board members composed of 3 patient care professionals and 1 orthotic manufacturer—all four AOPA Board members-- to guide interim decision-making on this issue.

We have asked AOPA's outside legal counsel, Alston & Bird, to prepare a comprehensive summary of the BIPA proposed rule, which may be [viewed by clicking here](#). AOPA will be listening, securing your input before formulating our comments between now and Monday, February 6. At that point, AOPA will also prepare a mechanism to facilitate members submitting their own comments to CMS on the proposed regulation.

In closing, we note with interest two concepts highlighted in a recent article by BNA about the proposed BIPA 427 reg.

*A CMS spokesman told Bloomberg BNA, the proposal began appearing on the CMS regulatory agenda around the time of a 2013 letter to the Department of Health and Human Services from 35 House members suggesting that implementing the law could reduce fraud.*

[Click here to view the letter](#). Those who attended AOPA's 2013 Policy Forum and urged legislators to sign this letter can now see how their advocacy delivered results—mark your calendars for the 2017 AOPA Policy Forum, May 24-25—you can make a difference!)

*A beneficiary advocate, however, expressed concern that implementation of strict requirements on practitioners and suppliers could harm beneficiary access to needed items. “For example, qualified suppliers who submit claims for equipment that were not furnished by an entity that meets these requirements risks revocation of their Medicare enrollment and eligibility to submit claims for any DMEPOS items or services,” Ashkon Roozbehani, an attorney for the Center for Medicare Advocacy, told Bloomberg BNA. “A reduction in the number of qualified suppliers available to a beneficiary in their locality may result in loss of access to otherwise unattainable medically necessary items and services.”*

A very important tactical issue in light all of the above, and which is included in the “AOPA Listening Survey” is that it appears there may be as many as six groups that potentially might oppose the Proposed BIPA regulation. So, among other topics, AOPA will be seeking your thoughts including crystallizing the tactical choice between the very difficult odds in the new Administration of pulling through the proposed regulation applicable to all those persons essentially as written vs. an improved prospect if we are open to some give and take to solidify support (and blunt the poignant criticism that this is an anti-business regulation) by at least some of the potential opponents—do we take a cue perhaps learning from the long history of negotiated rulemaking conflict, etc., or do remain absolutely resolute on the terms exactly as written, even if doing so greatly diminishes the prospect of getting any BIPA 427 qualified provider rule through the process to have the force of law? As noted above, AOPA has created a committee of Board members composed of 3 patient care professionals and 1 orthotic manufacturer—all four AOPA Board members-- to guide interim decision-making on this issue and all content aspects of its position after reviewing AOPA member input and feedback.

### Exhibit at the 2017 AOPA O&P World Congress in Las Vegas

AOPA is currently accepting exhibit applications for the 2017 AOPA O&P World Congress, which is to be held September 6-9, 2017 in Las Vegas, Nevada in conjunction with AOPA’s 100<sup>th</sup> Anniversary Celebration. Now is your chance to sign up and showcase your products at the largest O&P tradeshow in the Western Hemisphere. This world-wide convention opportunity features 4 days of high-level networking, exhibits, the latest techniques in O&P treatment, and the finest industry specific business and clinical training programs. We hope you make plans to join us. The first Congress was a great learning experience for all and with your participation we can create a larger and even more successful event.

#### Why you should attend:

- Research and Development expenditures in the United States are more than \$95 billion, making the United States the leader in medical innovation and creating the ideal location for a unique gathering of high visibility and importance.
- Superior Clinical Education featuring the best speakers from around the world. Hear from physicians, researchers and top-notch practitioners.
- Practical Learning and live demonstrations
- Learn how U.S. Health Care reform continues to influence patient care and global health policy.
- Networking with an elite and influential group of professionals.



- Largest Display of exhibits in the United States for the orthotic, prosthetic and pedorthic profession.
- Ideal U.S. Location chosen for travel ease and popularity.

**Exhibiting at this important global event will give you the opportunity to:**

- Build your customer base and increase sales;
- Experience face-to-face time with existing customers to answer questions and build relationships;
- Enjoy sponsored networking opportunities, including an opening reception in the exhibit hall;
- Take advantage of fun traffic building opportunities;
- Increase visibility for your company/organization in a targeted market;
- Host a Manufactures Workshop and/or Product Preview Theater;
- Take advantage of education sessions to learn what's happening with health care reform, Medicare, and other regulatory agencies that affect your bottom line;
- Speak to AOPA coding experts to learn what's happening with U.S. government sponsored healthcare programs and what you need to do to sell your products in the U.S.

**Check out these Exhibit Hall attractions, designed to bring customers to your booth:**

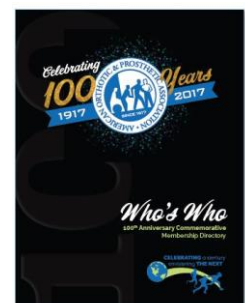
- The Welcome Reception in the Exhibit Hall;
- O&P Happy-Hour Reception in the Exhibit Hall;
- Coffee Breaks and Lunch in the Exhibit Hall;
- Continuous Product Preview Theater presentations (PPTs) in the Exhibit Hall;
- Mobile device charging stations in the Exhibit Hall;
- Clinical poster presentations;
- Free advertisements for exhibitor raffles and new product launches;
- Free copy of post-show attendee list;
- Free product index in exhibitor directory;
- Free listing in the mobile app;
- Free internet link from show web site to your company web site;
- Many inexpensive sponsorship opportunities to market your presence; and
- Much more!

[Sign up today to exhibit at the 2017 AOPA O&P World Congress.](#) Contact Kelly O'Neill with any questions at [koneill@AOPAnet.org](mailto:koneill@AOPAnet.org) or call (571) 431-0852.

**AOPA Celebrates 100 Years in 2017 – Become a Part of the Story**

AOPA will be celebrating its 100 year anniversary in 2017! AOPA will be memorializing the centennial by producing a keepsake member directory and a commemorative website. We will host special events at the World Congress in Las Vegas September 6-9, and each issue of the 2017 O&P Almanac will have highlight some aspect of our shared history.

The 100th Anniversary Commemorative Who's Who Membership Directory will be printed and distributed as a gift to all of our AOPA members. In it, you will see your company name, address, and employee names – all AOPA members will be listed. The directory will also include special sections for O&P history, technology timelines, and photographs that will showcase our members' proud heritage.



AOPA members have the opportunity to add a special message to AOPA in the directory. We are offering congratulatory ads that you can submit that would include your logo, name, and website with your message to AOPA. You can design your own or use our template. We are also collecting photographs, memorabilia, and personal stories to be used on the commemorative website, social media, and at the AOPA World Congress. [Please share here](#). Your story is our story.

[Review the details of the directory](#). We look forward to celebrating 100 years with you. [You can order your ad online](#). The deadline to reserve a space in the directory is February 15. Ad materials will need to be submitted by February 27.

Contact Bob Heiman at [bob.rhmedia@comcast.net](mailto:bob.rhmedia@comcast.net) or (856) 673-4000 with any questions.

<b>Upcoming AOPA Events</b>	
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February 8, 2017	<i>LSO/ TLSO Policy</i> AOPA Webinar <a href="#">Learn more and register here</a>
February 15, 2017	<i>Deadline to reserve a space in the AOPA Directory</i> <a href="#">Review the details of the Directory here</a>
April 10-11, 2017	<i>Coding &amp; Billing Seminar</i> Denver, CO <a href="#">Learn more and register here</a>