



American Orthotic & Prosthetic Association

www.AOPAnet.org

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**June 11, 2019**

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**Round 2021 Competitive Bidding Registration Open**

Registration for the DMEPOS Bidding System (DBidS) and Connexion is now open. In order to take part in Round 2021 and submit a bid you must first register and gain access to DBidS and Connexion. You may use your active and current CMS Enterprise Portal user ID and password to register, however if you don't have a user ID and password you will need to create one before you may access DBidS and Connexion. To register for DBidS and Connexion and/or create a user ID and password you may access the CMS Enterprise Portal [here](#). When you register, don't forget to identify and register your authorized officials as well.

Registration for the competitive bidding program may now open, but the bidding window will not open until July 16, 2019. Questions? Contact Joe McTernan at [jmcternan@AOPAnet.org](mailto:jmcternan@AOPAnet.org) or Devon Bernard at [dbernard@AOPAnet.org](mailto:dbernard@AOPAnet.org).

## Help Needed: Urge Your Legislator to Support the WWWEA

Last month, Congress introduced the Wounded Warrior Workforce Enhancement Act (H.R. 2487 in the House, S. 1315 in the Senate). The legislation would authorize \$5 million per year for three years to provide limited, one-time competitive grants to qualified universities to create or expand accredited advanced education programs in prosthetics and orthotics. Priority will be given to programs that partner with Veterans' Administration or Department of Defense facilities, including opportunities for clinical training, to ensure that students become familiar with and can respond to the unique needs of service members and Veterans with limb loss or limb impairment.

**We need your help to get support for this important legislation, [write your legislators and urge them to cosponsor it](#).**

The medical conditions faced by Veterans have become increasingly complex with more than 90,000 Veterans being served by the VA having lost limbs. While new technologies and devices are available to treat these conditions and improve quality of life, these innovations require more sophisticated, advanced training on the part of clinicians. A 2015 study commissioned by the National Commission on Orthotics and Prosthetics Education concluded that, by 2025, "overall supply of credentialed O&P providers would need to increase by about 60 percent to meet the growing demand." This is illustrated by the fact that this year the 13 schools with accredited O&P programs will graduate fewer than 250 clinicians combined. We clearly face a dire shortage in the number of clinicians needed to care for our aging population and Veterans.

The result of this limited, cost-effective approach to assisting universities in creating or expanding accredited master's degree programs in O&P is more effective treatment of patients in the VA, Medicare and Medicaid, resulting in fewer co-morbidities. It has also been demonstrated that proper and prompt access to O&P care can lower overall health costs.

**All we need is a few minutes of your time. Please visit [AOPA Votes](#) and send a message to your legislators, urging them to cosponsor this important legislation.**

Thank you for your efforts, your advocacy makes a huge difference. If you have any questions, please reach out to Justin Beland, Director of Government Affairs at the American Orthotic and Prosthetic Association at [jbeland@AOPAnet.org](mailto:jbeland@AOPAnet.org).

## ABC Debuts Combined Practitioner Exam

The American Board for Certification in Orthotics, Prosthetics & Pedorthics (ABC) is now offering for the first time a combined written examination for practitioner candidates. The combined written exam is designed for graduates of a combined orthotics and prosthetics master's degree program and can be taken immediately after graduation. The combined exam tests the knowledge the candidate gained from their master's program but does not include any clinical experience that they will gain during their O&P residency.

"This change not only gives candidates the opportunity to take the exam while their university knowledge is still fresh but provides educators with measures to evaluate the success of their curriculum," says Steve Fletcher, CPO, LPO, ABC Clinical Resources Director.

**Registration for the combined practitioner written exam is now open and the deadline for submitting applications is July 1.** The exam is computer based and will be offered the week of **August 5-10** at over 350 testing locations nationwide.

The combined exam will be given every other month in addition to the single discipline written practitioner exams.

For more information or to register for the exam, please visit the [ABC website](#) or contact ABC at (703) 836-7114.



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### **Preliminary Program now Available for the AOPA National Assembly**

Catch the Wave, Register Now for the 2019 National Assembly

The 2019 National Assembly has it all...

- The best in business education and advanced clinical programming
- The largest O&P exhibit hall in the U.S.
- Networking with the most influential people in the profession
- Must attend events
- The opportunity to earn more than 40 CE credits
- And the legendary weather, beautiful beaches and friendly, laid-back vibe of our host city, San Diego

[Learn more and register. Together we will drive the waves of change.](#)

*AOPA is proud to partner with the California Orthotics and Prosthetics Association (COPA) to bring you the 2019 National Assembly.*

### **Operating Performance & Compensation Survey for 2019**

**2019 Operating Performance & Compensation Survey Underway  
– deadline June 28<sup>th</sup>.**

**How Does Your O&P Facility Measure Up?**

In the daily grind of running your O&P business, you need feedback on how you are doing financially. You've heard that AOPA provides a free benchmarking survey for its members, but you haven't found the time to participate.



***Running short on time? We'll do the hard part for you.*** Submit your financial statements and Industry Insights will confidentially enter the data for you. We can't make it any easier than that! No more procrastinating!

Each survey participant receives a customized company report - a scorecard on how your O&P facility's operating performance and compensation compares with industry leaders and other facilities of similar size and geographic location.

To receive your company's Operating Performance & Compensation Survey company report, you'll need to complete the survey, which is open May 17<sup>th</sup> until June 28<sup>th</sup>. It's FREE for AOPA members.

Go to [www.aopa-survey.com](http://www.aopa-survey.com) to fill out the survey online or call 571-431-0810 for more information.

## History is Made at Texas Scottish Rite Hospital for Children



The 29th meeting of the International African American Prosthetic and Orthotic Coalition (IAAPOC) was held at Texas Scottish Rite Hospital for Children from April 18-20, 2019 in Dallas, Texas. The gathering marked the first time that the annual meeting was hosted in a medical facility.

The meeting also represented a significant stride forward for the IAAPOC, as they signed a partnership with the African Federation for the Professionals of Rehabilitation (FATO), an organization based in Africa with the goal to promote and support the services and education of rehabilitation in African countries. A representative from FATO, Anareme Kpandressi, was able to travel to Dallas with the invitation of the IAAPOC, and gave a powerful presentation on the education of prosthetists and orthotists in Africa. The partnership between the IAAPOC and FATO affirms that the organizations will work to help each other in the coming years.

## 2019 AOPA Policy Forum Wrap-Up

*"The 2019 Policy Forum was a success. Together advocates asked for the common-sense solutions that will enable O&P providers to deliver safe, effective, patient-centered orthotic and prosthetic care. As a result, many offices agreed to cosponsor the Medicare O&P Patient-Centered Care Act upon its introduction and the Wounded Warrior Workforce Enhancement Act was introduced with eight cosponsors in the House and seven in the Senate. Thank you to all who attended and raised your voice, including our O&P Alliance partners who are working right alongside us on the Medicare O&P Patient-Centered Care Act." Eve Lee MBA, CAE, AOPA Executive Director*



Last week, over 100 O&P advocates came together in Washington DC for the 2019 AOPA Policy Forum to meet with Congressional representatives and their staff to present the realistic policies that will enable O&P providers to improve patient care. On the first day of the Policy Forum, attendees kicked off their morning with the opportunity to attend a Lobbying 101 session and hear the latest and

greatest advocacy strategies from our government affairs experts. New this year was luncheon keynote. John Register, four-time track and field all-American, Gulf War Army veteran and Paralympic silver medalist energized attendees by showing how he continues to hurdle adversity and turn obstacles



into opportunities. In the afternoon, attendees heard from a panel of experts including AOPA staff, lobbyists, board members and others on various components of the “asks”. They then had the opportunity to apply the strategies from the morning and practice the “asks” during mock visits.

After a busy day of preparation, the attendees headed to Capitol Hill on the second day. Advocates presented their stories of the impact O&P has on patients’ lives with legislators in over 250 appointments. They encouraged lawmakers to support and enact the Medicare O&P Patient-Centered Care Act that helps address the recent Department of Justice indictments against 24 defendants responsible for losses to Medicare through fraudulent schemes involving lead generation marketing to deliver medically unnecessary or unwanted orthoses. The legislation would distinguish O&P patient care encounters from durable medical equipment, re-assert the congressional definition of “minimal self-adjustment” for off the shelf orthotics, and exempt licensed and certified O&P providers from competitive bid contracts. They also asked them to enact the Wounded Warrior Workforce Enhancement Act which improves O&P care for wounded warriors by ensuring an adequate workforce through grants provided to O&P education programs.

Stay tuned for updates as AOPA staff follow up with legislative staff to keep the momentum going.



### AOPA Announces Call for Volunteers

The American Orthotic and Prosthetic Association (AOPA) has opened its annual call for volunteers and we need your talent. Employees of all AOPA member companies are invited to serve on one of AOPA's Committees and/or Workgroups. From planning the National Assembly to driving the O&P research agenda to developing our legislative strategy, there is something for everyone. To find what interests you, review the full list of the Committees and/or Workgroups on the [Call for Volunteers webpage](#).

Terms of service are two-years and will begin December 1, 2019. Most committees or workgroups meet face-to-face at least once per year with monthly conference calls lasting approximately one-hour. Additional time commitments include reviewing materials and work to accomplish the goals of each committee or workgroup. For details about the goals and responsibilities of each committee or workgroup and information on the nomination process, refer to the [Nominations Policy](#).

To apply, please complete the [online application](#). Applications are due by **Sunday, June 30**.

Don't miss this opportunity to become involved in the O&P profession by supporting AOPA and your fellow colleagues!

Questions? Contact Betty Leppin at [bleppin@AOPAnet.org](mailto:bleppin@AOPAnet.org) or 571-431-0810.

### **CMS Adds L0650 to the Master List of Items Subject to Medicare Prior Authorization**

On April 22, 2019, The Centers for Medicare and Medicaid Services (CMS) published an announcement in the *Federal Register* that added four HCPCS codes to the master list of Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) items that are subject to inclusion in the Medicare Prior Authorization program. One of the four HCPCS codes that were added to the master list is L0650 which describes an off the shelf (OTS) lumbar-sacral orthosis (LSO). L0650 was added because it meets the criteria necessary for inclusion on the prior authorization master list. Specifically, the average Medicare allowable for L0650 exceeds \$1,041 and L0650 was listed in the *2018 Medicare Fee for Service Supplemental Improper Payment Report*.

The inclusion of L0650 on the Medicare prior authorization master list does not mean that claims for L0650 are subject to prior authorization currently, it just means that Medicare can choose to require prior authorization for L0650 in the future. The inclusion of L0650 is a significant development as it represents the first orthotic code to be identified and included in the Medicare prior authorization master list. Previously, all the codes on the master list described prosthetic devices.

AOPA will continue to follow developments related to the Medicare DMEPOS Prior Authorization program and will communicate any changes regarding the master list or proposed implementation of prior authorization for O&P services.

### **Statement from Eve Lee, Executive Director of AOPA on DOJ Operation Brace Yourself**

On March 28, 2019, the American Orthotic and Prosthetic Association (AOPA) released a [statement](#) strongly criticizing the use of lead generation marketing to deliver orthotic devices to patients covered by Medicare or other insurances. This practice puts patients at risk as it does not provide clinical care by a qualified orthotic professional and could lead to providing medically unnecessary orthoses with no instruction on the proper fitting, care, or use.

On April 9<sup>th</sup>, less than two weeks after this, the United States Department of Justice (DOJ) [announced](#) multiple indictments against 24 individuals responsible for more than \$1.2 billion in losses to the Medicare program through fraudulent schemes involving the use of lead generation marketing to deliver orthoses that were not medically necessary or not wanted by the beneficiary. Simultaneously, the Centers for Medicare and Medicaid Services (CMS) announced the immediate suspension of Medicare payments to 130 Medicare enrolled Durable Medical Equipment suppliers suspected of participating in the scheme and responsible for more than \$1.7 billion in Medicare claims and more than \$900 million in Medicare reimbursement.

AOPA is highly encouraged by both the DOJ indictments and the administrative action taken by CMS. We are hopeful that this sweeping action will drive this criminally negligent activity out of the orthotic and prosthetic marketplace. AOPA first expressed concern about potential fraud and abuse involving off-the-shelf (OTS) orthoses when CMS identified a complete set of OTS codes that, according to its own policy, required little to no fitting by properly certified or licensed orthotic professionals to deliver and bill to Medicare. We have continued to voice our concern at every opportunity.

Most recently, AOPA has pursued legislation that will ensure that Medicare patients continue to have access to clinically appropriate orthotic care delivered by properly educated, certified and/or licensed professionals. AOPA, with the support of its O&P Alliance partners, is preparing legislation which contains several provisions that would further guarantee that criminal elements such as those uncovered by DOJ will no longer be able to use OTS orthoses to generate illegal profits through exploitation of the Medicare program and its beneficiaries. AOPA is currently meeting with key members of Congress to discuss potential sponsorship. The hope is for the bill to be introduced prior to the 2019 AOPA Policy Forum taking place May 7-8, 2019 in Washington, DC. During the Forum, AOPA members will meet with members of Congress to encourage them to take action that protects patients.

**Questions?** Please contact Joe McTernan, at 571/431-0811 or [jmcternan@AOPAnet.org](mailto:jmcternan@AOPAnet.org).

<p style="text-align: center;"><b>AOPA Releases Statement Regarding Delivery of Orthoses through Lead Generation Marketing</b></p>
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AOPA issued a statement announcing that it is strongly opposed to the model for delivery of orthoses that relies on what is known as lead generation marketing to identify and recruit potential patients for treatment with orthoses.

Lead generation marketing uses broad stroke advertising such as television ads, websites, and social media to encourage potential patients to contact a call center which then provides the “leads” to a select group of physician referral sources and medical equipment suppliers who facilitate the delivery of one or more orthoses to the patient, often without the patient ever seeing the referring physician or the supplier of the device. This model of delivery is of great concern to AOPA as it does not include any fitting of the orthoses by health care professionals such as a certified and/or licensed orthotist. It also includes no patient education on the proper care and use of the orthosis, no follow up care to ensure that the orthosis is providing its intended benefit and lacks any kind of patient evaluation to determine the clinical appropriateness of the prescribed orthosis. This model of delivery is not one that is interested in the provision of clinically appropriate orthoses by properly trained, educated, and certified or licensed orthotic professionals. It is simply an opportunity for unscrupulous providers to take advantage of loopholes in the Medicare claims processing system to generate as much revenue as possible without regard to the medical need of the orthoses they are marketing. In addition, lead generation marketing of orthoses typically relies on a limited number of physician referral sources who often have no relationship with the patient prior to their brief consultation, usually over the telephone, upon referral from the lead generation company. These physicians are often fully aware of their role in this process and are often compensated by the lead marketing company on a per prescription basis. This practice is clearly not in the best interest of Medicare beneficiaries.

Recent reports published by the Department of Health and Human Services Office of Inspector General (OIG) have confirmed that there have been increased instances of fraud and abuse involving knee and spinal orthoses. AOPA believes that lead generation marketing strategies may be a significant contributor to this increase in fraud and abuse investigations. The orthoses that have been highlighted in the OIG reports have shown significant increases in utilization since the first appearance of the online and televised advertisements produced by lead generating marketing companies. It is not a coincidence that the largest increases in Medicare spending for

orthoses represent the high cost orthoses that are being marketed to unsuspecting Medicare beneficiaries.

AOPA firmly believes that Medicare beneficiaries deserve to receive the highest quality, most clinically appropriate orthotic care available and that it is in the best interest of the Medicare program to ensure that the delivery of all orthoses must be coordinated through the physician or practitioner who is treating the patient's orthopedic condition and a properly trained and educated orthotic provider, such as a certified or licensed orthotist. Alternative models, such as those that use lead generation marketing, will continue to facilitate increased fraud and abuse, unnecessary costs and utilization, and the delivery of ill-fitting orthoses that may not be medically necessary without any clinical care, patient follow up, or patient education.

**Questions?** Please contact Joe McTernan, at 571/431-0811 or [jmcternan@AOPAnet.org](mailto:jmcternan@AOPAnet.org).

<b>Upcoming AOPA Events</b>
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| June 12, 2019   | <i>Documentation – Understanding Your Role</i><br>AOPA Webinar<br><a href="#">Learn more and register here</a>                                |
| July 10, 2019   | <i>T.P.E – Get to Know the Program &amp; What the Results are Telling You</i><br>AOPA Webinar<br><a href="#">Learn more and register here</a> |
| August 14, 2019 | <i>Are You Ready for the Worst: Contingency Planning</i><br>AOPA Webinar<br><a href="#">Learn more and register here</a>                      |