



American Orthotic & Prosthetic Association

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AOPA In Advance SmartBrief
Breaking News
June 27, 2019

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Upcoming Events

Take Advantage of the OPC Survey by Friday's Deadline

**2019 Operating Performance & Compensation Survey Underway – deadline June 28th.
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 17th until June 28th. It's FREE for AOPA members. Go to www.aopa-survey.com to fill out the survey online or call 571-431-0810 for more information.

Last Call – Apply by June 30th to Volunteer with AOPA

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 or 571-431-0810.

Ohio Policymakers Introduce Legislative Initiative that Could Impact O&P in the State

Last week, Ohio State Senator Rob McColley (R-Napoleon) and Ohio Lt. Governor Jon Husted [announced](#) a legislative initiative called [The Common Sense Initiative \(CSI\)](#). The CSI includes language that will give flexibility to the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers (OTPTAT) Board to give permission to those who research and develop prosthetics using 3-D printing technology.

AOPA is working on obtaining the full proposal language so that we can do an analysis of the impact it will have on Ohio licensure and O&P practitioners. Without it, it is hard to know what the exact impacts are, but we know at the very least it is an opportunity to educate elected officials on the O&P profession as we continue to work with them in the future.

We will continue to keep you updated as appropriate. Should you have any comments or additional information about this proposal please email, Ashlie White at awhite@AOPAnet.org, Joe McTernan at jmcternan@AOPAnet.org, and Devon Bernard at dbernard@AOPAnet.org.

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 or Devon Bernard at dbernard@AOPAnet.org.

ABC Debuts Combined Practitioner Exam – Deadline July 1

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.



**AMERICAN BOARD
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ORTHOTICS • PROSTHETICS • PEDORTHICS

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.

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 9th, 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.

AOPA Releases Statement Regarding Delivery of Orthoses through Lead Generation Marketing

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.

Upcoming AOPA Events

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| July 10, 2019 | <i>T.P.E – Get to Know the Program & What the Results are Telling You</i>
AOPA Webinar
Learn more and register here |
| August 14, 2019 | <i>Are You Ready for the Worst: Contingency Planning</i>
AOPA Webinar
Learn more and register here |
| September 11, 2019 | <i>Veteran Affairs Updates: Contracting, Special Reports and Other News</i>
AOPA Webinar
Learn more and register here |

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