



American Orthotic & Prosthetic Association

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**AOPA In Advance SmartBrief**

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**February 18, 2020**

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**CMS Announces Medicare Prior Authorization for 6 Lower Limb Prosthetic Codes**

On Friday, February 7, the Centers for Medicare and Medicaid Services (CMS) announced that six lower limb prosthetic codes will be added to the codes that require Medicare prior authorization as a condition of payment. The [official announcement](#) was published February 11 in the *Federal Register*.

AOPA has actively communicated concerns about Medicare prior authorization and its potential to cause unnecessary delays in timely and efficient O&P care with CMS, through the submission of formal comments and during in-person meetings with CMS officials. In response, prior to the release of this *Federal Register* publication, AOPA received an e-mail communication from a high-ranking CMS official that addressed its concerns. Specifically, the e-mail communication stated the following:

- CMS does not intend to significantly expand the number of lower limb prostheses subject to prior authorization in the future.
- CMS understands the need for timeliness in making prior authorization decisions.
- DME MACs will provide education to providers when prior authorization requests are not initially approved.

- Affirmative prior authorization decisions will guarantee payment and reduce likelihood of audits down the road.

AOPA is encouraged by CMS' efforts to address its previously stated concern regarding prior authorization and will closely monitor the prior authorization process to ensure that it does not lead to unnecessary delays in delivery of clinically appropriate prosthetic care to Medicare beneficiaries.

The initial implementation of prior authorization for the six codes, scheduled for May 2020, will occur on a very limited basis in one state in each of the four DME MAC jurisdictions (Pennsylvania, Michigan, Texas, and California). Nationwide implementation is scheduled for late 2020. The six codes that will require Medicare prior authorization are:

<b>HCPCS</b>	<b>Description</b>
L5856	Addition to lower extremity prosthesis, endoskeletal knee-shin system, microprocessor control feature, swing and stance phase, includes electronic sensor(s), any type
L5857	Addition to lower extremity prosthesis, endoskeletal knee-shin system, microprocessor control feature, swing phase only, includes electronic sensor(s), any type
L5858	Addition to lower extremity prosthesis, endoskeletal knee-shin system, microprocessor control feature, stance phase only, includes electronic sensor(s), any type
L5973	Endoskeletal ankle foot system, microprocessor controlled feature, dorsiflexion and/or plantar flexion control, includes power source
L5980	All lower extremity prostheses, flex foot system
L5987	All lower extremity prosthesis, shank foot system with vertical loading pylon

The selected codes represent three microprocessor based prosthetic knees, a microprocessor based prosthetic foot, and two functional level 3 prosthetic feet.

AOPA will continue to monitor communications from CMS and the DME MAC contractors regarding the Medicare prior authorization process and will provide additional education to AOPA members as more details regarding the prior authorization process are released.

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).

### 2020 COPL Pilot Grant RFP Now Open

The American Orthotic and Prosthetic Association (AOPA), working in conjunction with the Center for Orthotic and Prosthetic Learning and Outcomes/Evidence-Based Practice (COPL) and its Board of Directors, is pleased to announce its [2020 Request for Pilot Grant Proposals](#) in 10 potential areas of orthotic and prosthetic research, including an open topic.

For 2020-2021, the association and COPL are seeking proposals at two funding levels for one-time grants; \$15,000 and up to two exceptional proposals for \$30,000 for one year. Preference will be given to grants that address evidence-based clinical application in orthotics and prosthetics. [View the RFP topics and guidelines.](#)

The deadline for all proposals is April 30, 2020. [Apply online.](#)

If you have any questions, please contact AOPA's director of strategic alliances, Ashlie White at [awhite@AOPAnet.org](mailto:awhite@AOPAnet.org) or call 571/431-0812.

### **AOPA Participates in CMS Listening Session on Contractor Operational Performance**

On January 29, 2020, AOPA staff participated in a CMS listening session that was designed to receive provider feedback on the operational performance of Medicare Administrative Contractors (MACs). The session was introduced by CMS Administrator Seema Verma and was moderated by Larry Young, the Director of the CMS Medicare Contractor Management Group. The 60-minute session provided a brief background on the roles and responsibilities of the MACs, a discussion of general MAC performance based on CMS metrics, and then was opened to allow participants to provide feedback on opportunities for the MACs to improve their performance and enhance their interaction with providers.

AOPA submitted written comments in advance of the listening session that encouraged CMS to fully implement the qualified provider provisions outlined in section 427 of the Benefits Improvement Act of 2000 and allow the DME MACs to incorporate those provisions into its claims processing activities. AOPA's comments also encouraged CMS to provide clear instructions to the DME MACs regarding the inclusion of orthotist's and prosthetist's clinical notes as part of the patient's medical record for medical review purposes.

AOPA continues to support open dialogue with CMS and the DME MACs with the goal of achieving fair and equitable treatment of O&P providers and ensuring that Medicare beneficiaries continue to have access to high quality, clinically appropriate orthotic and prosthetic care.

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).

### **Register for the Coding & Billing Seminar in Charlotte, NC**

***Location: Fairfield Inn & Suites Charlotte Uptown  
201 South McDowell Street  
Charlotte, NC 28204***

*\*Attendees are responsible for making their own hotel reservations. [Book your hotel](#) by April 5th for \$149/night rate.*

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

### AOPA Virginia House of Delegates HB 503 Testimony

Yesterday, at the request of Virginia Orthotic & Prosthetic Association, AOPA staff joined the Amputee Coalition to testify in front of the Labor and Commerce subcommittee of the Virginia House of Delegates in support of HB 503. This bill (first introduced in 2019) would mandate health insurance coverage for mechanical, bionic prosthetics that have a Medicare code under all Virginia state regulated health plans.

AOPA testified that, “The existing Insurance Fairness law has made it possible for Virginians living with limb loss and limb difference to receive care that would have otherwise been arbitrarily denied or capped, but it does not extend this guarantee of coverage to the most vulnerable individuals in our community. It also fails to secure access for patients to the most medically appropriate prosthetic devices for the restoration of mobility. Passage of this Bill will rectify these shortcomings.”

[Read the full AOPA testimony.](#)

[Watch the AOPA testimony.](#)

Following the hearing the legislation was recommended to be continued to the next session, upon the recommendation that the Health Insurance Reform Commission (HIRC) continue to review the impacts of the Bill, per its mandate.

The Senate companion bill, SB 382 passed out of the subcommittee and is now on the docket in the Senate Finance Committee.

Questions? Contact Justin Beland AOPA’s Director of Government Affairs at [jbeland@AOPAnet.org](mailto:jbeland@AOPAnet.org).

### NEW Education Offering – Medicare 101: Get to Know the Basics

You asked, we answered. AOPA is pleased to announce our latest educational opportunity, **Medicare 101: Get to Know the Basics**. Join AOPA experts for this one-day course March 30 in Rosemont, IL a mere five minutes from O’Hare.

Attendees will learn all the basics of Medicare billing and coding including how Medicare pays for O&P, the basic documentation needed to bill for O&P, guidelines on proper coding, and how codes are created. It will also include the popular O&P Urban Myths and Misconceptions presentation.

With this one-day program, which runs from 10am to 4pm you can fly-in and out the same day. If you need to stay, we’ve got you covered. You can book a room by March 9 for the special rate of \$109 at The DoubleTree by Hilton Chicago-Rosemont (location of the Seminar).

The cost, including lunch and meeting materials is \$300 for members and \$350 for nonmembers. Additionally, attendees can earn five CE credits.

**Make sure you have the Medicare basics covered, register today.**

Something specific you would like our experts to cover? Submit it when you register.

Questions? Contact Devon Bernard at [dbernard@AOPAnet.org](mailto:dbernard@AOPAnet.org).

### **CMS Announces Significant Changes to Requirements for Physician Orders**

As part of their overall effort to reduce provider burden, the Centers for Medicare and Medicaid Services (CMS) recently announced a significant change to the requirements for physician orders for Durable Medical Equipment, Orthotics, Prosthetics, and Supplies (DMEPOS). The change is effective for claims with a date of service on or after January 1, 2020 and eliminates the need for an initial/dispensing order for Medicare DMEPOS services.

Going forward, Medicare claims will only require a “standard written order” (SWO) which must be received prior to claim submission and contain essentially the same elements as the traditional “detailed written order” that has been part of the longstanding Medicare requirements for compliant DMEPOS claims. Required elements of the new SWO include the following:

- Beneficiary name or Medicare Beneficiary Identifier (MBI)
- Order date
- General description of the item
  - Can be either a general description, a HCPCS code, A HCPCS code narrative, or a brand name/model number
  - All separately billable features, additions, options, or accessories must be listed separately on the SWO
  - All separately billable supplies must be listed separately on the SWO
- Quantity to be dispensed, if applicable
- Treating/Ordering practitioner’s name or NPI
- Treating/Ordering practitioner’s signature

While initial/dispensing orders are no longer required for services to be reimbursed, medical records must continue to support the medical need for O&P services that are provided. It is important to remember that medical need must clearly be established prior to the provision of O&P care. O&P providers should confirm that adequate documentation of medical need is well documented before providing care to Medicare beneficiaries. It is also important to remember that for any claims with a date of service prior to January 1, 2020, the former rules remain in effect and, in most cases, an initial/dispensing order and a detailed written order must be received in order to maintain compliance with Medicare regulations.

AOPA believes the changes in order requirements will significantly reduce instances of unnecessary claim denials and supports the recently announced change. CMS efforts to reduce unnecessary administrative burdens on legitimate providers will allow providers to focus on providing efficient, clinically appropriate care to Medicare beneficiaries without getting caught up in unnecessary and unreasonable administrative requirements.

AOPA will continue to pursue opportunities to work collaboratively with CMS and other agencies to ensure that Medicare beneficiaries continue to have access to high quality, clinically appropriate O&P care delivered by properly qualified and credentialed O&P providers.



## AOPA's 2019 Legislative Victories

Thanks in large part to your efforts, the American Orthotic and Prosthetic Association (AOPA) secured several legislative victories in 2019, positioning us to achieve even more success in the second session of the 116<sup>th</sup> Congress, which convenes on January 7. Our victories included:

- In May, Congress introduced the Wounded Warrior Workforce Enhancement Act which 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. AOPA has been working closely with both the Veteran's Affairs Committee and Armed Services Committee to speed passage of the bill in 2020.
- Related to workforce shortages, AOPA worked with the Military Construction and Veteran's Affairs Appropriations subcommittee to add language to their FY2020 spending bill which "directs the VA to work with outside industry experts to survey and examine the latest data available on the current extent of orthotics and prosthetics care provided outside of VA facilities and provide projections on requirements over the next decade based on overall population growth among veterans with orthotics and prosthetics needs." The subcommittee has requested a report to both the House and Senate by June, and AOPA is working with VA staff to provide input to the report.
- AOPA secured a bipartisan letter, led by Reps. Elaine Luria (D-VA), Tim Walberg (R-MI), Greg Steube (R-FL), and Brad Wenstrup (R-OH), to the Chair and Ranking Member of the House Veteran's Affairs Appropriations subcommittee, urging the subcommittee "to include language to let veterans with limb loss continue to choose to receive their care from the provider who best meets their needs." In the final bill language, the subcommittee noted that the VA is "expected to ensure veterans continue to receive the prosthetics services that best meet their needs," and will continue to work with the VA to ensure veteran's choice of where they receive their care.
- AOPA worked with Congress to secure a 50 percent increase (to \$15 million) in the Department of Defense's funding bill for the Congressionally Directed Medical Research Program (CDMRP) to advance research in prosthetic and orthotic outcomes, and priorities for research to fill those gaps. AOPA will work closely with CDMRP to ensure they're receiving high quality grant proposals and funding the best available research opportunities.
- On November 22, the House introduced H.R. 5262, the Medicare Orthotics and Prosthetics Patient-Centered Care Act. While the bill enjoys broad bipartisan support, it's imperative that we add as many cosponsors as possible, to illustrate the importance of the bill to legislators. To that end and with your help, [nearly 1,100 advocates wrote to their members of Congress in support of the bill](#). A high priority for AOPA, this bill would:
  - Restore congressional intent by revising the overly expansive regulatory interpretation of the meaning of "off-the-shelf" (OTS) orthotics to clarify that competitive bidding may only apply to orthoses that require minimal self-adjustment by patients themselves, not the patient's caregiver or a supplier.

- Distinguish the clinical, service-oriented nature in which O&P is provided from the commodity-based nature of the durable medical equipment (DME) benefit. Orthotics and prosthetics care include a patient care component that is decidedly more in-depth and personal than simply supplying DME. Most orthotic and prosthetic devices are custom fabricated or custom fit and require the expertise of an orthotist or prosthetist who receive Master of Science degrees and residence training before becoming certified practitioners.
- Reduce the likelihood of waste, fraud, and abuse in the Medicare program by prohibiting the practice of "drop shipping" (shipping an orthoses or prostheses to a beneficiary without first receiving direct patient care from a trained, certified or licensed health care practitioner) of orthotic braces that are not truly "off-the-shelf" (i.e., subject to minimal self-adjustment by the patient him- or herself).

So, what next? Continue to stay tuned for additional action you can take on the two pieces of legislation as well on other issues. Plan to attend the Policy Forum, May 5-6 in Washington DC. It is our opportunity to have our voices heard.

Thank you for your efforts in 2019, for continuing to advocate for the profession and its patients. Together we will further improve the lives of those living with limb loss and limb impairment.

If you have any questions, contact Justin Beland, AOPA Director of Government Affairs at [jbeland@AOPAnet.org](mailto:jbeland@AOPAnet.org).

### CMS Releases the 2020 Medicare DMEPOS Fee Schedule

The Centers for Medicare and Medicaid Services (CMS) has released the 2020 Medicare DMEPOS fee schedule which will be effective for Medicare claims with a date of service on or after January 1, 2020. As anticipated, the 2020 Medicare fee schedule for orthotic and prosthetic services will be increased by 0.9% over 2019 rates. The 0.9% increase is a net reflection of the 1.6% increase in the Consumer Pricing Index for Urban Areas (CPI-U) from June 2018 through June 2019, combined with the annual Multi-Factor Productivity Adjustment (MFP) of -0.7%.

[View the official CMS announcement for the 2020 DMEPOS fee schedule update.](#)

[Review and download the complete 2020 Medicare DMEPOS fee schedule.](#)

Questions regarding the 2020 Medicare fee schedule 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).

### 2020 National Assembly Call for Papers



Contribute to high-value clinical and scientific offerings and share your expertise with over 2,000 orthotic, prosthetic, and pedorthic professionals. Submit your proposal for the American Orthotic and Prosthetic Association's 2020 National Assembly, September 9-12, 2020 in Las Vegas, NV.

We are looking for:

- [Clinical Free Papers](#) - The top scoring papers will compete for the prestigious Thranhardt Award.
- [Technician Program](#)
- [Symposia](#)
- [Business Education Program](#) - The top papers will be considered for the prestigious Sam E. Hamontree, CP (E) Business Education Award.

Abstracts will be considered for both podium and poster presentations and must be submitted electronically; e-mail or fax submissions will not be accepted. Each submission will be graded by the review committee via a blind review process, based on the following criteria.

- Relevance, level of interest in categories
- Quality of scientific content
- Quality of clinical content
- Quality of technical content

**What are you waiting for? Advance your career. Gain recognition. See your name in lights. [Submit your abstract by March 20, 2020.](#)**

Questions about the submission process or the National Assembly? Contact AOPA at 571/431-0876.

### **Don't Sleep on the Latest AOPA Member Resource**

Are you utilizing your AOPA membership? Attend the upcoming live tutorial to learn about one of the best resources available for O&P practices, the [AOPA Co-OP](#).

A Wikipedia for all things O&P, the Co-OP is a one-stop resource for information about reimbursement, coding, and policy. It is searchable database that provides up-to-date information on developments in Medicare policy, state-specific legislation, private-payer updates, and more. Members can access detailed information on everything from modifiers to product-specific L Codes and associated policies. Additionally, members can share information and insights on developments impacting the entire O&P profession.

If you haven't signed up for the Co-OP yet, this is your opportunity to learn about O&P's most comprehensive resource for coding, billing, and reimbursement. AOPA's Director of Strategic Initiatives, Ashlie White will demonstrate how to use the Co-OP and answer all your questions.

Pick the date using the drop-down menu. Register now for FREE:

- [Friday, March 13 at noon ET](#)
- [Friday, April 17 at noon ET](#)

### **Upcoming Events**



- March 11, 2020      *New Technical Credits- Clinician's Corner: Orthotics*  
AOPA Webinar  
[Learn more and register](#)
- March 30, 2020      *Medicare 101 Seminar*  
Rosemont, IL  
[Learn more and register](#)
- April 8, 2020      *Policy Review: LSO/TLSO*  
AOPA Webinar  
[Learn more and register](#)
- April 27-28, 2020      *Coding & Billing Seminar*  
Charlotte, NC  
[Learn more and register](#)