



AOPA Unequivocally Renews its Support of Efforts to Combat Fraud and Abuse through Improper Orthotic and Prosthetic Care

Alexandria, VA (April 29, 2021) - The American Orthotic and Prosthetic Association (AOPA), founded in 1917, represents more than 2,000 patient care facilities and businesses that manufacture, distribute, design, fabricate, fit, and supervise the use of orthoses (orthopedic braces) and prostheses (artificial limbs).

In April 2019, following an extensive investigation dubbed Operation Brace Yourself, the Department of Justice (DOJ) announced a series of criminal indictments that identified more than \$1.2 billion in losses to the Medicare program through the fraudulent provision of orthoses. The fraudulent activity relied heavily on the use of lead generation and advertising strategies to arrange the shipment of one or more orthoses to Medicare beneficiaries without providing any evaluation or clinical care to ensure the effectiveness of the orthosis. Immediately prior to the DOJ Announcement, AOPA issued a public statement that strongly criticized delivery models that did not include the proper clinical care necessary to achieve a positive outcome for Medicare beneficiaries.

While Operation Brace Yourself was an effective deterrent to the extensive fraud and abuse that was identified through the investigation and subsequent prosecution of many of the responsible criminal elements, there have been recent government and media reports that indicate that the fraudulent provision of orthoses through lead generation and advertising schemes continues to pose significant risk to Medicare beneficiaries and the Medicare program.

AOPA remains steadfast in its support of the elimination of all fraud and abuse in the delivery of orthoses and prostheses and has taken significant steps to facilitate legislative and regulatory pathways to support the efforts of the DOJ, Office of Inspector General, the Centers for Medicare and Medicaid Services, and other agencies working diligently to prevent fraud and abuse within the Medicare program. AOPA strongly condemns the predatory, criminal behavior that has resulted in significant losses to the Medicare program through the fraudulent provision of orthoses to unsuspecting Medicare beneficiaries. The Medicare Orthotics and Prosthetics Patient-Centered Care Act, a bi-partisan bill supported by AOPA, was recently introduced in the house (H.R. 1990) and is expected to be introduced in the Senate shortly. This bill includes provisions that would prohibit the use of drop shipping to deliver orthoses that are not specifically designated as off-the-shelf orthoses. AOPA believes that passage of the Medicare O&P Patient Centered Care Act will support the continued efforts to curb fraud and abuse through the delivery of medically unnecessary orthoses to Medicare beneficiaries.

“Medicare recipients seeking orthotic or prosthetic assistance due to injury or loss of limb should be confident that there are strong protections in place to shield them from fraudulent suppliers. The Medicare Orthotics and Prosthetics Patient-Centered Care Act will revise Medicare payment rules to protect our seniors from orthotic or prosthetic suppliers who do not meet quality standards or prioritize quality patient care,” said Congressman G. K. Butterfield (NC-01), co-sponsor of H.R. 1990.

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About the American Orthotic and Prosthetic Association (AOPA): Through advocacy, research, and education, AOPA improves patient access to quality orthotic and prosthetic care. AOPA, based in Alexandria, VA, is the largest non-profit organization consisting of more than 2,000 O&P patient care facilities and suppliers, dedicated to helping O&P businesses and professionals navigate the multitude of issues surrounding the delivery of quality patient care.