



July 29, 2022

We IMPACT lives.

Joseph McTernan
Director of Coding & Reimbursement, Education and Programming
AOPA
330 John Carlyle Street, Suite 200
Alexandria, VA 22314
Via email to: JMcTernan@AOPANet.org

Dear Mr. McTernan,

This letter is to confirm that the DME MAC contractors have received guidance from CMS about rejections of claims for lower limb prostheses which receive a CO-261 remark code. A small number of claims were rejected with CO-261 N56 remark codes because Medicare history documented a conflict between the beneficiary's amputation level with the type of prosthesis components billed on the DME claim. We wanted to make you and your membership aware that CGS and Noridian representatives are contacting the affected suppliers to address this issue and provide detailed information, including the process that should be followed, as explained below.

These instructions are based on the date of submission of the most recent claim:

1. If the claim(s) were resubmitted **before** June 13, 2022, then the claim(s) would have been rejected again. The claim should be resubmitted to obtain an appealable denial. Then the supplier may submit the newly denied claim to redetermination.
 - a. For claims which are past the one-year timely filing limit, the resubmitted claim may deny for timely filing. However, the DME MACs will not deny the appealed claims for this reason and will allow the appeal to proceed.
2. If the claim(s) were resubmitted **on or after** June 13, 2022, then the claim(s) may have already been denied or will be denied. This claim may be sent to redetermination.

When submitting the redetermination, please include documentation from the beneficiary's medical record. The following documentation, including but not limited to, will be considered:

- Operative record from the hospital where the latest surgical amputation occurred
- Physician's operative note from the most recent amputation procedure
- Photos/video of the beneficiary's condition (include a date of the photo/video)

We trust that this information will provide a resolution of the issue. Thank you for your continued interest in the Medicare program.

Sincerely,

Stacey V. Brennan, MD, FAAFP

On behalf of:

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