



COMMITTEE ON FOREIGN AFFAIRS

COMMITTEE ON VETERANS' AFFAIRS

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE

Congressman Lee M. Zeldin
First Congressional District of New York

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September 10, 2015

*Support Our Citizens With Disabilities. Co-Sponsor H.R. 3229 to Enforce the
Medicare Improvements for Patients and Providers Act of 2008*

Dear Colleague,

Providing support for those who need it the most has been a principle Americans have stood by for generations. We have fought to safeguard others both at home and abroad throughout the centuries. With that in mind, I ask for your support in seeking to help the many vulnerable men and women who are living with disabilities. The very nature of a disease is unfortunate and seeing friends and family suffer from their often debilitating effects is difficult.

When the Medicare Improvements for Patients and Providers Act (MIPPA) of 2008 was passed into law, it stated that complex rehabilitation technology devices would not be subject to CMS' Competitive Bidding Program. Indeed, Congress specifically excluded complex rehabilitative power wheelchairs, as well as any related accessories from this process. These accessories include special controls for power chairs, seat/back cushions for proper positioning, and tilt/recline systems. During the ensuing two rounds of competitive bidding, CMS excluded these accessories, and also implemented a similar policy for complex rehabilitative manual wheelchairs during the second round of competitive bidding.

In November 2014, however, CMS issued a final ruling which essentially ignored the 2008 regulation. CMS now states that starting in January, 2016, these accessories used on complex rehabilitative wheelchairs will no longer be a part of the fixed fee schedule but will now be subject to competitive bidding pricing. This diversion from the set policy that has been in place for over 6 years will adversely affect those suffering from disabilities such as ALS, Cerebral Palsy, Multiple Sclerosis, Spinal Cord Injury and many other debilitating illnesses. We should do all we can to ensure those with disabilities can access the complex rehabilitative equipment they require to meet their medical needs and to function at the highest level possible.

By supporting this clarification of the 2008 law, we can all be a part of an important step to secure the essential tools many citizens with disabilities of our nation depend upon. By adding this commonsense clarification, we can ensure that those in the Medicare program do not have to go through the difficulty of adjusting to new rules and pricing arbitrarily reached by CMS. Further, this legislation is fully supported by the ALS Association, Muscular Dystrophy Association, National Multiple Sclerosis Society, Paralyzed Veterans of America, VetsFirst and the United Spinal Association. I ask you to please join me in helping these people and their families by supporting this critical measure to protect access to this important equipment that people with disabilities rely on.

Should you have any questions, please feel free to contact Matthew Scott in my office at (202) 225-3826, or Matthew.Scott@mail.house.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'L M', is positioned above the printed name.

Lee M. Zeldin
Member of Congress