



September 21, 2017

The Honorable Paul Ryan (WI-1)
U.S. House of Representatives
Speaker of the House
Washington, D.C. 20515

The Honorable Nancy Pelosi (CA-12)
U.S. House of Representatives
Minority Leader
Washington, D.C. 20515

The Honorable Kevin Brady (TX-8)
U.S. House of Representatives
Chair, Ways and Means Committee
Washington, D.C. 20515

The Honorable Richard Neal (MA-1)
U.S. House of Representatives
Ranking Member, Ways and Means Committee
Washington, D.C. 20515

The Honorable Greg Walden (OR-2)
U.S. House of Representatives
Chair, Energy & Commerce Committee
Washington, D.C. 20515

The Honorable Frank Pallone (NJ-6)
U.S. House of Representatives
Ranking Member, Energy & Commerce Committee
Washington, D.C. 20515

Re: Please Pass H.R. 3730, Legislation to Restore Access to Manual CRT Wheelchair Accessories

Dear Representatives Ryan, Pelosi, Brady, Neal, Walden, and Pallone:

The undersigned members of the Independence Through Enhancement of Medicare and Medicaid (ITEM) Coalition strongly urge Congress to pass H.R. 3730, bipartisan legislation from Representatives Lee Zeldin (R-NY) and John Larson (D-CT) to permanently exempt manual Complex Rehab Technology (CRT) wheelchair accessories and components for people with disabilities and chronic conditions from Medicare's Competitive Bid Program (CBP). This important legislation will protect Medicare beneficiary access to manual complex rehab technology, as well as essential components known as wheelchair "accessories."

The ITEM Coalition is a national consumer and clinician-led coalition advocating for access to and coverage of assistive devices, technologies, and related services for persons with injuries, illnesses, disabilities, and chronic conditions of all ages. Our members represent individuals with a wide range of disabling conditions, as well as the providers who serve them, including such conditions as multiple sclerosis, spinal cord injuries, brain injuries, stroke, paralysis, limb loss, cerebral palsy, hearing and speech impairments, visual impairments, vision loss, spina bifida, myositis, and other life-altering conditions.

Power and manual CRT wheelchairs and CRT accessories or components are essential for a small segment of wheelchair users, about 10 percent of the Medicare population, with significant disabilities such as ALS, cerebral palsy, multiple sclerosis, muscular dystrophy, spinal cord injury and traumatic brain injury. For these wheelchair users, a wheelchair is not complete, usable or safe without the appropriate complex rehab technology components included.

On June 23, 2017, CMS took important action to protect access to CRT accessories and components in power wheelchairs for Medicare beneficiaries with disabilities and chronic conditions. CMS [announced](#) it will not be applying Medicare Competitive Bid Program (CBP) reimbursement levels to Complex Rehab Technology (CRT) Group 3 power wheelchair accessories. This policy change averts significant cuts that were scheduled to go into effect July 1, 2017 and avoids drastic reductions in access to this specialized mobility technology for Medicare beneficiaries with significant disabilities. The ITEM Coalition is grateful to CMS and the Members of Congress that supported this important action.

Unfortunately, CMS did not extend the new rule to CRT *manual* wheelchairs, making a legislative fix necessary to preserve Medicare beneficiary access to CRT accessories and components in manual wheelchairs.

Congressional action is urgently needed to permanently help Medicare beneficiaries who are manual CRT wheelchair users obtain the accessories and components they need. The Administration's decision in June has left our members with no choice but to turn to legislative solutions to this perennial problem. We believe strong Congressional support for this important fix is needed to ensure that Medicare beneficiaries who are manual CRT wheelchair users can obtain the accessories and components they need.

Many members of Congress also supported H.R. 1361 earlier this year, which would have corrected this problem for CRT accessories and components in power and manual wheelchairs. This new legislation from Representatives Zeldin and Larson effectively replaces H.R. 1361, as CMS has already exempted CRT accessories used with power wheelchairs from Competitive Bid pricing. The new bill, H.R. 3730, will help ensure parity in access to power and manual CRT mobility technology.

We are writing to express our strong support for this new legislation and to emphasize the importance of protecting patient access not just to accessories used with complex rehab *power* wheelchairs, but also to those used on complex rehab *manual* wheelchairs.

Regardless of injury, illness, disability, or chronic condition, all Medicare beneficiaries should be eligible for the same access to medically necessary mobility devices, services, and accessories. Anything less can have serious consequences for beneficiaries. **We urge Congress to pass H.R. 3730 to ensure that accessories used with CRT manual wheelchairs are protected.**

We would be happy to meet to discuss this issue further and are available for any questions you may have. To contact the ITEM Coalition, please contact the ITEM Coalition coordinators, Peter Thomas, at Peter.Thomas@powerslaw.com or Leif Brierley at Leif.Brierley@powerslaw.com, or by calling 202-466-6550.

Sincerely,

ITEM Coalition Steering Committee Members

American Foundation for the Blind

Amputee Coalition

Christopher and Dana Reeve Foundation

National Multiple Sclerosis Society

Paralyzed Veterans of America

United Spinal Association

ITEM Coalition Signatories

Academy of Spinal Cord Injury Professionals

ACCSES

American Academy of Physical Medicine & Rehabilitation

American Association on Health and Disability

American Cochlear Implant Alliance

American Congress of Rehabilitation Medicine

American Medical Rehabilitation Providers Association

American Occupational Therapy Association

American Physical Therapy Association

American Therapeutic Recreation Association

Association for Education and Rehabilitation of the Blind and Visually Impaired (AER)

Association of Assistive Technology Act Programs

Brain Injury Association of America

Caregiver Action Network

Clinician Task Force

Lakeshore Foundation

National Association for the Advancement of Orthotics and Prosthetics

National Association for the Support of Long Term Care

National Council on Independent Living

National Disability Rights Network

Rehabilitation Engineering and Assistive Technology Society of North America

Spina Bifida Association

The Arc of the United States

The Myositis Association

Unite 2 Fight Paralysis

United Cerebral Palsy