



Request for HHS/CMS to “Make Permanent” the Current Medicare Policy for Complex Rehabilitative Manual Wheelchair Accessories – Action Needed Before June 30, 2021

We respectfully request that the Department of Health and Human Services (HHS) and the Centers for Medicare and Medicaid Services (CMS) take action to provide equal access for Medicare beneficiaries who require Complex Rehabilitative wheelchairs and accessories. As explained below, work to resolve this access issue has been going on since 2019, but HHS/CMS action is required as soon as possible to “make permanent” a policy that expires June 30, 2021.

Complex Rehabilitative wheelchairs and accessories are used by people with significant disabilities including spinal cord injury, ALS, Multiple Sclerosis, and other serious conditions. These individually configured mobility and seating systems allow this small group of beneficiaries—representing just 7% of all Medicare manual wheelchair users—to manage their medical needs and fully participate in their lives. Without Complex Rehabilitative wheelchairs, many would be bed confined. Of note, these Complex Rehabilitative wheelchairs have taken on even more importance in helping people with disabilities manage the challenges and risks of the COVID- 19 pandemic.

In 2017, HHS/CMS acted—at the urging of Congress—by issuing a policy clarification to ensure that Medicare beneficiaries relying on Complex POWER wheelchair accessories could continue to access them. However, this did not address Complex MANUAL wheelchair accessories. To address this gap, in December 2019 Congress passed language in H.R. 1865 to make clear that its intent was for both Power and Manual Complex Rehabilitative wheelchair accessories to be treated the same in terms of Medicare payment.

Included in H.R. 1865 was an eighteen-month policy suspension that prevented CMS from using Medicare Competitive Bidding Program (CBP) pricing for Standard wheelchair accessories to set payment rates for Complex Rehabilitative wheelchair accessories. These complex products are not off-the-shelf commodity items and CBP pricing for Standard wheelchair accessories should not be applied to much different Complex Rehabilitative wheelchair accessories. This suspension expires on June 30 and must be made permanent.

Complex Rehabilitative wheelchair accessories are highly personalized, individualized products that perform critical functions for the Medicare beneficiaries. Unlike what the name implies, “accessories” are not nice-to-have items, but instead, provide important and necessary benefits like preventing skin pressure sores, positioning/supporting the person upright so they can breathe, and allowing the operation of the wheelchair to be tailored to their physical limitations.

We believe protection from CBP pricing should apply equally to both Complex Rehabilitative power and manual wheelchair accessory users. Accordingly, we request that the temporary policy passed in 2019 be made permanent prior to the June 30, 2021 expiration. We respectfully request that HHS/CMS take this action as soon as possible for Complex Rehabilitative manual wheelchair users, as it did in 2017 for Complex Rehabilitative power wheelchair users, to provide equal access for the people with disabilities who depend on this technology.

The National Coalition for Assistive and Rehab Technology (NCART) works to ensure individuals with disabilities have adequate access to Complex Rehab Technology. For more information visit www.ncart.us.