



October 8, 2014

The Honorable Patrick Tiberi
106 Cannon House Office Building
United States House of Representatives
Washington, DC 20515

The Honorable John Larson
1501 Longworth House Office Building
United States House of Representatives
Washington, DC 20515

Dear Representatives Tiberi and Larson:

We, the undersigned organizations of consumer and disability advocacy groups, would like to thank you for introducing bipartisan legislation, the Medicare DMEPOS Competitive Bidding Improvement Act of 2014/HR 4920.

Medicare's current bidding process restricts access to, and choice of, medical equipment products and services by forcing individuals with significant disabilities, the chronically ill and the frail elderly to use certain medical equipment providers whether they furnish the products and services that provide the most benefit to consumers or not. By limiting the choice of medical equipment providers, people with disabilities are experiencing increased difficulty getting appropriate wheelchairs, repairs and other medical equipment, support services, and much needed medical supplies. This process has greatly increased the occurrence of delivery delays, incidents of wrong products and parts delivered, and it has created hardships for people with disabilities who are now forced to use providers that are far from their homes both in and outside their state of residence.

United Spinal and other consumer and disability groups have heard of many instances where durable medical equipment companies do not have the expertise in providing wheelchairs or other medical equipment such as oxygen and oxygen supplies to individuals with disabilities who are on Medicare and they are not licensed to furnish the type of equipment for which they have received a contract from the Centers for Medicare and Medicaid Services (CMS) to provide to those individuals. United Spinal and other stakeholders are also aware of companies that are currently allowed, under Medicare regulations, to not be bound by the CMS contract of providing services and equipment that they have been offered – meaning that they are not required to provide services and equipment contained in the contract at the CMS reimbursement rate. This leaves many individuals with disabilities who rely on durable medical equipment to continue their independence and engage in their community without any options to have access to trusted, qualified and experienced durable medical equipment providers.

The Medicare DMEPOS Competitive Bidding Improvement Act of 2014/HR 4920 will add badly needed provisions to improve the poorly designed bidding program by requiring that participating durable medical equipment suppliers comply with state licensure requirements and binding bids to ensure that access to quality equipment and services is protected. This means that participating suppliers must agree to all pertinent state licensure requirements, be bound to the accepted CMS contract and provide equipment and services to their customers at the contracted rate.

Thank you again for introducing HR 4920 which will reform Medicare's current bidding program through state licensure requirements and durable medical equipment company performance bonds to ensure that individuals with disabilities receive high-quality service and equipment that will give our community the ability to live active, productive independent lives with improved health outcomes.

We look forward to working with you and your staff on the passage of this important legislation. Should you have any questions, please contact me at 202-556-2076, ext. 7102 or at abenewith@unitedspinal.org.

Sincerely,

A handwritten signature in black ink that reads "Alexandra Bennewith". The signature is written in a cursive, flowing style.

Alexandra Bennewith, MPA
Vice President, Government Relations

26 SUPPORTING ORGANIZATIONS:

1. ACCSES
2. American Academy of Physical Medicine and Rehabilitation
3. American Association on Health and Disability
4. American Cochlear Implant Alliance
5. American Congress of Rehabilitation Medicine
6. American Council of the Blind
7. American Foundation for the Blind
8. American Medical Rehabilitation Providers Association

9. American Speech Language-Hearing Association
10. American Therapeutic Recreation Association
11. Amputee Coalition
12. The Arc
13. Association of Assistive Technology Act Programs
14. Association of University Centers on Disabilities
15. Brain Injury Association of America
16. Caregiver Action Network
17. Center for Medicare Advocacy
18. Myositis Association
19. National Council on Independent Living
20. National Disability Rights Network
21. National Multiple Sclerosis Society
22. National Stroke Association
23. Paralyzed Veterans of America
24. Spina Bifida Association of America
25. Unite 2 Fight Paralysis
26. United Spinal Association