

House Dear Colleague Letter re Medicare Coverage of Power Seat Elevation and Standing Systems

(Sign-On Letter Deadline: COB Monday October 3, 2022)

Dear Colleague,

We encourage you to join us in sending a letter to CMS Administrator Chiquita Brooks-LaSure regarding access to critical assistive technology for people with disabilities. As you may know, the Medicare program does not currently cover power seat elevation and power standing systems in Complex Rehabilitation Technology (CRT) wheelchairs for individuals with severe mobility impairments. Despite significant clinical evidence that supports these systems for medical purposes, Medicare considers them “not primarily medical in nature” and they are therefore not covered as durable medical equipment (DME). This is a major gap in coverage for Medicare beneficiaries with mobility disabilities.

In September 2020, a coalition of patients, providers, researchers, and other subject matter experts submitted a formal Request for Reconsideration of the existing National Coverage Determination (NCD) for Mobility Assistive Equipment to advance a coverage policy for these systems under the Medicare DME benefit. Although CMS certified this request as “complete” in November 2020, it did not initiate the next step of the formal reconsideration process, which involves opening a National Coverage Analysis (NCA) and public comment period. In October 2021, 77 bipartisan members of the House sent a letter to CMS Administrator Brooks-LaSure urging CMS to move forward with this process.

In August 2022, nearly two years after the initial request was submitted, CMS opened an NCA and public comment period for power seat elevation systems, but unexpectedly and without explanation bifurcated the request and did not open the related review of power standing systems or provide a timeline for doing so.

This letter:

- Thanks CMS for opening a National Coverage Analysis and public comment period for power seat elevation systems;
- Urges CMS to advance Medicare coverage for power seat elevation systems, consistent with the existing body of clinical evidence and within all applicable rules and regulations; and
- Urges CMS to promptly move forward with opening an NCA for power standing systems.

This request would advance a key issue for many individuals with mobility disabilities. Therefore, we hope that you will join us in urging CMS to advance coverage for power seat elevation and promptly open an NCA and public comment period for power standing systems.

The text of the letter can be found below. If you would like to join, please opt-in and sign the letter on Quill. If you have any questions, please contact Alec Goldstone in Rep. Langevin’s office at alec.goldstone@mail.house.gov or 5-2735.

Thank you for your consideration,

James R. Langevin
Member of Congress

Brian Fitzpatrick
Member of Congress

Debbie Dingell
Member of Congress

John Rose
Member of Congress

**House Sign-On Letter to CMS re Medicare Coverage of
Power Seat Elevation and Power Standing Systems Used with Complex Power Wheelchairs**

(Sign-On Letter Deadline: COB Monday October 3, 2022)

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Administrator Brooks-LaSure:

We write to follow up on previous communications concerning the Request for Reconsideration of the National Coverage Determination (NCD) for Mobility Assistive Equipment and the currently pending National Coverage Analysis (NCA) for Power Seat Elevation Systems in Complex Rehabilitation Technology (CRT) wheelchairs. We thank you for opening the NCA for power seat elevation systems and look forward to CMS expanding access to these important systems. Power seat elevation systems and power standing systems used in these wheelchairs provide significant medical and functional benefits to many individuals with severe mobility impairments. Advancing Medicare coverage for these systems will help ensure that Medicare beneficiaries with disabilities like paralysis, muscular dystrophy, ALS, spina bifida, and other mobility disabilities can equitably access these benefits.

As you know, a group of patients, providers, researchers, and other subject matter experts submitted the aforementioned Request for Reconsideration in September 2020, seeking Medicare coverage of both power seat elevation and power standing systems. In August 2022, nearly two years after the initial request was submitted, CMS opened an NCA for power seat elevation systems. We greatly appreciate that CMS has taken this step, as it is an important opportunity for the agency to gather additional information that will inform its eventual coverage decision. However, we are concerned that CMS unexpectedly and without explanation bifurcated the initial request and did not open the related review of power standing systems or provide a timeline for doing so. Therefore, we request that:

1. CMS move expeditiously to advance Medicare coverage for power seat elevation systems, consistent with the existing body of clinical evidence and within all applicable rules and regulations; and
2. CMS promptly move forward with opening an NCA for power standing systems.

Power seat elevation and power standing systems improve the health and independent function of mobility-impaired individuals and allow them to perform or increase their participation in mobility-related activities of daily living (MRADLs) in the home. Seat elevation systems allow users to raise and lower themselves in the seated position through an electromechanical lift system embedded into their CRT wheelchairs. These systems assist with safer transfers from wheelchairs to other surfaces such as beds, chairs, and toilets; reduce upper extremity injury due to prolonged wheelchair use; and reduce neck pain by providing a more level line-of-sight with other individuals. Standing systems allow users to transition from seated to standing positions without the need to leave their wheelchairs, allowing independent performance of MRADLs and a host of medical benefits derived from bearing weight on an individual's body frame. These medical benefits include improved joint mobility and muscle tone;

increased strength and bone density; enhanced cardiovascular and respiratory functions; and reductions in falls, neck and spine injuries, skin breakdowns, spasticity, and muscle contractures.

Coverage of these technologies will bring significant benefits to Medicare beneficiaries with mobility impairments, making a timely review and decision process that much more important. Therefore, we respectfully urge you to move forward expeditiously with your review of public comments and the full body of clinical evidence regarding coverage of power seat elevation systems, and to promptly open the NCA and public comment period regarding coverage of power standing systems.

Thank you for your ongoing work on behalf of Medicare beneficiaries and all individuals with disabilities.

Sincerely,

CC:

Meena Seshamani, M.D., Ph.D.
Deputy Administrator and Director, Center for Medicare