

Dear PMC Members:

The Centers for Medicare and Medicaid Services (CMS) has issued a Change Request to the Durable Medical Equipment Regional Carriers (DMERCs) that contains instructions on how contractors are to process claims for Power Mobility Devices (PMDs) during the delay of the interim final rule (IFR). As you are aware, the Labor, HHS, and Education Appropriations Act effectively prohibits the CMS from using funds to enforce the IFR for PMDs from January 1 - April 1, 2006.

For claims received by the DMERCs between January 1, 2006 and April 1, 2006, the DMERCs:

- Must pay PMD claims based on current policy, as outlined in the MMA, which states a physician, a physician assistant, nurse practitioner, or clinical nurse specialist must conduct a face-to-face examination of the patient and write a prescription for the PMD.
- **Cannot require the details of the written prescription defined in the IFR (7 elements). The written prescription needs to be signed and dated by the physician or treating practitioner who performed the face-to-face examination.**
- Cannot auto-deny claims when the “EY” modifier has been used to indicate that the written prescription with the elements specified in the IFR was not received by the DME supplier within 30 days after the face-to-face examination.
- **Cannot require that the written prescription for the PMD be received by the supplier within 30 days after the face-to-face examination.**
- Must continue to accept the partially completed unsigned CMN and not edit on these partially completed CMNs.

When submitting claims between now and April 1, 2006, Suppliers need to have:

- a detailed written prescription (that includes date of the order, start date of order (if different than date of actual order), item(s) ordered, physician’s signature, signature date) for a PMD prior to delivery;
- documented evidence that a face-to-face exam occurred (although not required within 30 days of the date of the PMD prescription);
- information from the patient’s medical record that supports the 9-step algorithm in the NCD.

To view the complete CMS Change Request, visit
<http://new.cms.hhs.gov/transmittals/downloads/R215OTN.pdf>.