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**HEADLINE: POWER MOBILITY COALITION;**  
Court ruling helps patients gain access to **power wheelchairs**

**BODY:**

The **Power Mobility Coalition** (PMC) praised the Federal District Court of Eastern California which recently ruled the Certificate of Medical Necessity (CMN) is the Medicare document of record and the Centers for Medicare and Medicaid Services (CMS) cannot require durable medical equipment (DME) suppliers to obtain medical records and make judgments as to whether the medical equipment is reasonable and necessary.

"This ruling ultimately benefits the thousands of elderly and disabled Americans who rely on **motorized wheelchairs** to accomplish the daily tasks that allow them to help them live independent lives," said Eric Sokol, director of PMC.

"The PMC has always maintained that physicians are the ones who should be making the determination as to whether or not an individual needs the use of a **motorized wheelchair**. This ruling helps cut through the bureaucratic red tape and allows those in need to receive their chairs as quickly as possible."

The ruling came in the case of *Maximum Comfort, Inc. v. Tommy Thompson*, in which the plaintiff, a supplier of power mobility products and services, sued the Department of Health and Human Services for denial of Medicare claims for **motorized wheelchairs**. In siding with the supplier, the Court held that Congress, not CMS, sets the criteria and documentation necessary to demonstrate Medicare eligibility for DME items. Further, CMS cannot require suppliers to provide medical records or second-guess the decision of the treating physician.

PMC is a nationwide association of large and small manufacturers and suppliers of **motorized wheelchairs** and scooters.

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