

September 7, 2006

From Members of the Power Mobility Device Technical Experts Panel

The Honorable Michael Leavitt
Secretary
Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Dear Secretary Leavitt,

In February of 2006, CMS invited fourteen individuals to provide CMS with expert advice and counsel during the development of the new power mobility device (PMD) code set through participation in a Technical Experts Panel (TEP).

In its August 12, 2006 introduction of the new PMD code set CMS stated:

“The codes presented are reflective of recommendations made by a Technical Expert Panel (TEP) commissioned by CMS and comprised of representatives from the technical, scientific, manufacturing, supplier, testing, and clinical aspects of the power mobility industry. The TEP recommendations were presented to CMS, the SADMERC, and the DME Program Safeguard Contractor (PSC) medical directors. This code set was adapted from those recommendations. Codes resulting from this collaborative effort allow placement of individual devices into performance-based categories.”

As former members of the TEP we want you to know that this is not the case.

Many of our most critical recommendations were ignored or modified to the point that they no longer represent our intent as panel members.

Over the next two weeks the former members of the TEP, now reconstituted as the TEP Workgroup, will be providing Congress, HHS and CMS with a detailed accounting of our recommendations that CMS disregarded or maladapted in the final version of the new PMD codes. We will also provide recommendations for correcting these errors.

Though we are disappointed that CMS ignored much of the advice from these experienced clinicians, suppliers, manufacturers and scientists – we are primarily concerned that CMS' final decisions will have a devastating impact on the health and well-being of tens of thousands of people with disabilities.

We strongly urge that CMS work diligently with the TEP Workgroup and other stakeholders in this process to fix the significant problems with the interpretation of the new PMD code set before they are implemented.

For additional information please contact tepworkgroup@yahoo.com .

Sincerely,

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