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**PMC APPLAUDS CMS' CHANGE OF NCD FOR POWER MOBILITY PRODUCTS AND SERVICES**

(Washington, DC) - The Power Mobility Coalition (PMC), a nationwide association of manufacturers and suppliers of motorized wheelchairs, supports the change in National Coverage Determination (NCD) for mobility assistive equipment (MAE) recently announced by the Centers for Medicare and Medicaid Services (CMS). In their decision memo (CAG-00274N), CMS indicated that they were abandoning the overly restrictive and often misinterpreted "bed or chair-confined" criteria for a functional ambulation standard that would consider a beneficiary's ability to ambulate safely around the home to accomplish activities of daily living. The functional ambulation standard was recommended by CMS' Interagency Wheelchair Working Group (IWWG), a group of federally-employed physicians, therapists, research and policy experts who reached this recommendation after examining peer-reviewed scientific data, expert opinion and public comments.

While the PMC has long maintained that the existing Certificate of Medical Necessity (CMN) that physicians must certify in order for a beneficiary to qualify for a power wheelchair already established a functional ambulation test, the PMC is heartened that CMS codified this standard in the form of a new NCD. "The PMC applauds CMS and the hard work of the IWWG who saw fit to put an end to the oppressive "bed or chair-confined" standard and replace it with a more reality based criteria which examines the role that assistive technologies play in making a beneficiary independent, as opposed to an arbitrary one or two step test," stated PMC Director Eric Sokol.

Sokol continued, "CMS has now confirmed that the functional ambulation standard is in fact the correct coverage criteria. We urge CMS must direct its regional contractors to implement the correct standard to claims pending review and stop their subjective review of power mobility claims."

CMS also failed to resolve important documentation issues. Sokol stated, "CMS concedes that the documentation issues must be addressed but then defers actual resolution of the issue to another 'initiative.' The documentation issue raised by those commenting on the NCD related to the inappropriateness of using physicians' notes. The NCD recognizes the problem with using physicians' note but provides no solution. The fact that CMS itself is unable to develop conclusions about documentation makes it especially unfair to deny claims based on the very documentation standards that do not exist."

PMC requests that the current physician-certified CMN be revised to reflect the new NCD criteria and, consistent with Congressional intent, remain the Medicare "document of record" when processing Medicare power mobility claims. As Stephen Azia, PMC's counsel explains, "CMS is hoping to apply more exacting clinical standards and an algorithmic formula to

determine eligibility and proper wheelchair placement. Such a formula should be reflected in a revised CMN to ensure that eligible beneficiaries get appropriate equipment and that suppliers will have more than a reasonable expectation that a physician-certified CMN establishes eligibility.”

CMS also left in place the “in the home” restriction in the new NCD. The PMC is supportive of expanding coverage criteria for power mobility to activities conducted outside the home. In addition, power mobility beneficiaries should not lose their homebound status if they use their power mobility equipment to leave the home. The PMC vows to continue to work with advocacy groups to get legislation introduced in Congress to lift this harmful restriction.

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