

Dear PMC Members:

The Centers for Medicare & Medicaid Services (CMS) has delayed the effective date for the Interim Final Rule with Comment Period (IFC) that implements certain provisions of the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA) for the Round 1 Rebid of the Medicare Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Competitive Acquisition Program. The effective date was originally February 17, 2009, and is now April 18, 2009.

The original comment period on the Interim Final Rule remains unchanged. The public has until March 17, 2009, to submit comments on the substantive policy issues discussed in the rule.

In comments, the Power Mobility Coalition (PMC) urged CMS to, at a minimum, delay implementation of the interim final rule by at least 60 days. As the PMC noted, "[T]o many in the HME community, the timing of the release of the interim final rule was an eleventh-hour attempt by the Bush Administration to implement mandatory consolidation of HME providers through competitive bidding. In their rush to implement, CMS is acting contrary to Congressional intent in delaying the program so that problems which surfaced during the first round of bidding could be identified and addressed in the new rule." A copy of PMC's comments submitted to CMS is attached.

For further information on the interim final rule and the delay of the implementation date visit the CMS website at <http://www.cms.hhs.gov/CompetitiveAcqforDMEPOS/>.