



## Refillable DMEPOS Documentation Requirements

Related CR Release Date: January 18, 2024

MLN Matters Number: MM13480

Effective Date: January 1, 2024

Related Change Request (CR) Number: [CR 13480](#)

Implementation Date: February 19, 2024

Related CR Transmittal Number: R12468PI

Related CR Title: Documentation Requirements for Refillable Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS)

### Affected Providers

---

- Suppliers
- Other providers billing Medicare Administrative Contractors (MACs) for DMEPOS services they provide to Medicare patients

### Action Needed

---

Make sure your staff knows about:

- Updated documentation requirements for refillable DMEPOS
- The requirement to contact the patient before refilling DMEPOS

### Background

---

In some cases, a practitioner may determine a patient's expected, ongoing medical need, and write an order for DMEPOS for immediate use and refills for later dates. Before refilling orders for DMEPOS products, suppliers must contact the patient to make sure a refill is needed. Don't automatically ship a refill on a pre-determined basis, even if the patient authorizes it. The supplier must document contact with the patient or their representative and verify the need for the refill.

This documentation must include the following:

- Evidence that the patient or their representative has confirmed their need to refill the supplies within 30 calendar days from the expected end of the current supply. Patients don't have to count the remaining supply.
- For shipped items, CMS requires the following before shipping the product:
  - Patient's name
  - Date of contact

- Item requested
  - Confirmation from the patient
  - Explaining the need for the refill
- For items obtained in-person from a retail store, we consider 1 of the following as sufficient documentation for a refill request:
    - The delivery slip signed by the patient or their representative
    - A copy of the itemized sales receipt

You may use any means of communication to contact the patient to get their confirmation for the refill of the supplies, but you must include it in the documentation. For example, you can use automated text messaging or email showing the patient's name, items, date of contact, and their response. The documentation must be available to us upon request.

Don't deliver the DMEPOS supply refill sooner than 10 calendar days before the end of usage for the current product.

## More Information

---

We issued CR 13480 to your MAC as the official instruction for this change.

For more information, [find your MAC's website](#).

## Document History

---

Date of Change	Description
January 18, 2024	Initial article released.

View the [Medicare Learning Network® Content Disclaimer and Department of Health & Human Services Disclosure](#).

The Medicare Learning Network®, MLN Connects®, and MLN Matters® are registered trademarks of the U.S. Department of Health & Human Services (HHS).