



Related MLN Matters Article #: MM5128

Date Posted: August 28, 2006

Related CR #: 5128

Evidence of Medical Necessity: Wheelchair and Power Operated Vehicle (POV) Claims (Clarification of CR 3952, Transmittal # 128, dated October 28, 2005)

Key Words

MM5128, CR5128, R157PI, Wheelchair, POV, CR3952, PMD

Provider Types Affected

Providers prescribing Power Mobility Devices (PMDs) and suppliers billing Medicare durable medical equipment regional carriers (DMERCs) or DME Medicare Administrative Contractors (DME MACs) for PMDs

Key Points

- The effective date of the instruction is June 5, 2006.
- The implementation date is October 16, 2006.
- Change Request (CR) 5128 is a supplement to CR3952.
- When CR3952 was developed and issued, the final regulation had not been published. The final rule was published in the Federal Register on April 5, 2006, and was effective on June 5, 2006.
- CR5128 contains updated changes based on the final regulation that differ from CR3952.
- MLN Matters article MM5128 and CR5128 provide an update to Section 5.9 of the *Medicare Program Integrity Manual* (Evidence of Medical Necessity: Wheelchair and Power Operated Vehicle (POV) Claims).
 - Upon review, a written prescription for the PMD must be received by the supplier **within 45 days** after the face-to-face examination.
 - For those instances of a recently hospitalized beneficiary, the written prescription must be received by the supplier **within 45 days** after the date of discharge from the hospital.
 - The Certificate of Medical Necessity (CMN) for wheelchairs (signed or unsigned) is no longer needed for claims with a date of service on/after May 5, 2005 that are received on or after April 1, 2006.

Important Links

<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM5128.pdf>

The official instructions (CR5128) issued to the provider's Medicare DME MAC and DMERC regarding this change, can be found at

<http://www.cms.hhs.gov/Transmittals/downloads/R157PI.pdf> on the CMS web site.

If providers/suppliers have questions, they may contact their Medicare DME MAC or DMERC at their toll-free number, which may be found at

<http://www.cms.hhs.gov/MLNProducts/downloads/CallCenterTollNumDirectory.zip> on the CMS web site.

Section 5.9 of the *Medicare Program Integrity Manual* (Evidence of Medical Necessity: Wheelchair and Power Operated Vehicle (POV) Claims) may be found at

<http://www.cms.hhs.gov/manuals/downloads/pim83c05.pdf> on the CMS web site.