



June 23, 2023

**Submitted Electronically**

The Honorable Glenn Thompson  
c/o Brian Arata  
400 Cannon House Office Building  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Mike Thompson  
c/o Crozer Connor  
268 Cannon House Office Building  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Brett Guthrie  
c/o Brian Fahey  
2434 Rayburn House Office Building  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Angie Craig  
c/o Meghan Mullan  
2442 Rayburn House Office Building  
U.S. House of Representatives  
Washington, DC 20515

**RE: Support for H.R. 4315, the Medicare Orthotics and Prosthetics Patient-Centered Care Act**

Dear Representatives Thompson, Thompson, Guthrie, and Craig:

The undersigned members of the Independence Through Enhancement of Medicare and Medicaid (ITEM) Coalition write to express our support for H.R. 4315, the Medicare Orthotics and Prosthetics Patient-Centered Care Act. As you know, this important bipartisan legislation would help Medicare beneficiaries who use orthoses and prostheses to be as functional and independent as possible while limiting waste, fraud, and abuse in the Medicare orthotic and prosthetic (O&P) benefit. We applaud your leadership in sponsoring this bill and hope to work with you and your colleagues in the relevant committees of jurisdiction and leadership to enact this bill as soon as practicable.

The ITEM Coalition is a national consumer- and clinician-led coalition advocating for access to and coverage of assistive devices, technologies, and related services for persons with injuries, illnesses, disabilities, and chronic conditions of all ages. Our members represent individuals with a wide range of disabling conditions, as well as the providers who serve them, including limb loss and limb difference, multiple sclerosis, spinal cord injury, brain injury, stroke, paralysis, cerebral palsy, spina bifida, hearing, speech, and visual impairments, myositis, and other life-altering conditions. Many of these individuals use orthoses and/or prostheses to remain as functional and independent as possible.

The Medicare Orthotics and Prosthetics Patient-Centered Care Act includes critical provisions designed to improve the O&P benefit for patients, providers, and the Medicare program. We strongly support the language in this bill, which would:

- Treat orthotists and prosthetists like physical and occupational therapists and physicians for purposes of providing off-the-shelf (OTS) orthoses to beneficiaries in the course of their practice, allowing these providers to furnish OTS orthoses without a competitive bidding contract, at no additional cost to the government. This bill would improve access to orthoses by eliminating barriers that force a Medicare beneficiary to visit multiple providers in the event that the treating orthotist or prosthetist does not have a competitive bidding contract.
- Reduce the likelihood of waste, fraud, and abuse by prohibiting “drop-shipment” of all custom-fitted and custom-fabricated orthoses and all prostheses to a Medicare beneficiary’s home without any clinical intervention by a provider or supplier. This would result in significant cost-savings to the Medicare program while protecting patient access to clinical assessments, fittings, adjustments, and other related clinical care.
- Ensure that Medicare beneficiaries have timely access to a replacement custom-fitted and custom-fabricated orthosis if an ordering physician determines that the provision of a replacement orthosis is necessary due to a change in the physiological condition of the patient, an irreparable change in the condition of the orthosis, or the excessive cost of repairs. Under current Medicare law, Medicare beneficiaries must wait years, in some cases, before the Medicare program will cover a replacement orthosis. This shifts costs onto the patient, many of whom are on limited, fixed incomes. This bill would eliminate delays—and effective denials—in receiving a Medicare-covered replacement custom-fitted and custom-fabricated orthosis.

We support this impactful legislation, and we look forward to working with your office and others in Congress to enact it into law as soon as practicable. Enactment of this bill would help ensure that Medicare beneficiaries receive appropriate, safe, and patient-centered orthotic and prosthetic care by appropriately credentialed O&P practitioners.

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For additional information about the ITEM Coalition, please contact the ITEM Coalition coordinator, Peter Thomas, at [Peter.Thomas@PowersLaw.com](mailto:Peter.Thomas@PowersLaw.com) or by phone at 202-466-6550.

Sincerely,

**The Undersigned Members of the ITEM Coalition**

Access Ready

ACCSES

Alexander Graham Bell Association for the Deaf and Hard of Hearing

American Association on Health and Disability

American Cochlear Implant Alliance

American Congress of Rehabilitation Medicine

American Music Therapy Association

American Occupational Therapy Association

American Physical Therapy Association

American Therapeutic Recreation Association

***Amputee Coalition\****

Association of Rehabilitation Nurses  
Autistic Women & Nonbinary Network  
Buoniconti Fund to Cure Paralysis  
Center for Medicare Advocacy

***Chris and Dana Reeve Foundation\****

Council of State Administrators of Vocational Rehabilitation  
Institute for Matching Person & Technology  
Lakeshore Foundation  
Medical Device Manufacturers Association  
Miami Project to Cure Paralysis  
Muscular Dystrophy Association  
National Association for the Advancement of Orthotics and Prosthetics  
National Association of Councils on Developmental Disabilities  
National Association of Rehabilitation Providers and Agencies  
National Association of Rehabilitation Research and Training Centers  
National Disability Rights Network  
National Registry of Rehabilitation Technology Suppliers

***Paralyzed Veterans of America\****

RESNA  
Simon Foundation for Continence

***Spina Bifida Association\****

The Viscardi Center  
United Cerebral Palsy

***United Spinal Association\****

VisionServe Alliance

***\* ITEM Coalition Steering Committee Member***