

**Congress of the United States**  
**House of Representatives**

Washington, DC 20515-1308

August 31, 2015

Mr. Andy Slavitt  
Acting Administrator  
Centers for Medicare & Medicaid Services  
U.S. Department of Health and Human Services  
200 Independence Avenue SW  
Washington, DC 20201

Dear Acting Administrator Slavitt:

I strongly oppose the Durable Medical Equipment Medicare Administrative Contractor (DME MAC) Proposed/Draft Local Coverage Determination (LCD) for Lower Limb Prostheses. The Medicare contractor's proposed LCD revisions seek to cut prosthetic care costs at the expense of American amputees. The DME MAC used inappropriate data to justify restricting amputee access to the most effective treatments and prosthetic devices.

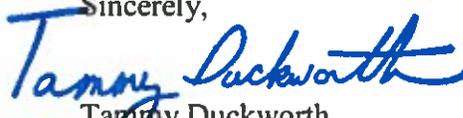
The Proposed/Draft LCD for Lower Limb Prostheses would arbitrarily limit an amputee's access to the optimal prosthetic device solely because he or she uses an assistive device. It would also lead to greater coverage restrictions that unduly burden amputees and deny them use of the appropriate prosthetic device. In a misguided effort to strengthen program integrity, the proposal punishes all amputees in response to the fraudulent misconduct of a few bad apples by forcing all patients to undergo duplicative evaluations to qualify for certain devices.

This proposal threatens to make life more difficult for amputees. It places bureaucratic cost concerns over the health and well-being of patients. It is unacceptable. I urge the Centers for Medicare & Medicaid Services take decisive action to have the DME MAC withdraw its flawed Proposed/Draft LCD for Lower Limb Prostheses.

Providers across the country look to Medicare reimbursement rates and rules when developing their own prosthetic care policies. If the Proposed/Draft LCD for Lower Limb Prostheses is finalized, health care providers across the Nation will likely follow suit with similar revisions. This would force innovative companies to curtail or cease research and development on advanced prosthetics devices. Worst of all, millions of amputees would be denied access to the services and devices that best meet their individual medical needs.

American innovation is allowing hundreds of thousands of amputees to live fuller lives. The Federal Government should be supporting these exciting prosthetic initiatives. The DME MAC Proposed/Draft LCD for Lower Limb Prostheses fails this test and must be withdrawn.

Sincerely,

  
Tammy Duckworth  
Member of Congress