

**WRITTEN TESTIMONY OF THE
NEW ENGLAND MEDICAL EQUIPMENT DEALERS ASSOCIATION
RELATIVE TO THE FINAL PROPOSED RULE FOR
PART HE-W 571, DURABLE MEDICAL EQUIPMENT, PROSTHETIC AND
ORTHOTIC DEVICES AND MEDICAL SUPPLIES
JANUARY 3, 2007**

In follow up to our testimony of October 27, 2006, we submit our comments on the final proposed rule.

1. He-W 571.01 Definitions.

(g) "Monthly quantity" means the amount of supplies allowed per calendar month.

Comment: Currently there is no published list of allowed amounts. The department should publish this list or add language "or based on clinical need".

2. He-W 571.11 Payment for Equipment, Devices, and Supplies.

(c) Billing of and payment for prosthetics, orthotics, DME, medical supplies, and repair parts shall be made at the lesser of:

(3) The rate established by the department.

Comment: The addition of cost plus language should be added since auditors use this methodology when conducting audits. NEMED suggests changing language as follows:

(3) The fee schedule rate established by the department; or

(4) Provider's acquisition cost plus standard markup as determined by the department for product provided.

Thank you for allowing us the opportunity to comment on this rule. Please contact me at 508-993-0700 with any questions.

Respectfully submitted,



Karyn Estrella
Executive Director
New England Medical Equipment Dealers Association
509 Kempton Street
New Bedford, MA 02740
508-993-0700
Karyn@nemed.org