



February 9, 2015

SUBMITTED ELECTRONICALLY

Senator David Vitter
516 Hart Senate Office Building
Washington, DC 20510

Re: Support for Medicare Beneficiary Access to Speech Generating Devices and Eye Tracking Accessories

Dear Senator Vitter:

The undersigned members of the Independence through Enhancement of Medicare and Medicaid (“ITEM”) Coalition appreciate the support your office has provided for Medicare beneficiaries who depend on Speech-Generating Device (SGD) technology for communication. ITEM Coalition is a national consumer and clinician-led coalition advocating for access to and coverage of assistive devices and technologies 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 such conditions as multiple sclerosis, paralysis, hearing and speech impairments, cerebral palsy, visual impairments, spinal cord injuries, brain injury, stroke, spina bifida, myositis, limb loss, Osteogenesis Imperfecta (“OI”), and other life-altering conditions.

Speech-generating devices are highly customized electronic augmentative and alternative communication (AAC) systems used to supplement or replace speech, enabling individuals with functional communication impairments to verbally communicate their needs. Individuals with neurodegenerative conditions, such as Parkinson’s disease and ALS, are the most common users of these devices.

Significant policy re-interpretation by the Centers for Medicare & Medicaid Services (CMS) in 2013 has resulted in significant access issues to appropriate technology for the most venerable of Medicare beneficiaries. The reclassification of SGDs to capped-rental requirement prohibits patients to personalize their SGDs during the 13-month rental period, and does not allow standard “upgrades”, such as internet or email access. It is difficult to comprehend this policy since these devices are customized and most SGD recipients, due to their chronic and degenerative conditions, continue to have severe speech deficits well beyond the 13-month timeframe.

As a result of additional policy misinterpretation regarding the technology capabilities of the devices, CMS contractors are routinely denying coverage for eye-gaze, a technology that provides the only means to select messages on an SGD by patients with limited or absent mobility in the arms and hands. The result of these denials has been to severely limit some beneficiaries' access to communication devices.

Although CMS has some regulatory authority to resolve the non-speech capabilities issue, CMS has indicated that the capped-rental issue must be addressed through legislation. *The Steve Gleason Act of 2015* (H.R.628), introduced by Reps. McMorris Rodgers, Scalise, and Paulsen on January 30, 2015, resolves this issue by removing the capped-rental requirement for speech-generating devices and will ensure that beneficiaries have access to necessary eye-tracking accessories for these devices. Specifically, the House bill amends title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

ITEM Coalition supports *the Steve Gleason Act of 2015*. We hope that a Senate companion will be introduced shortly and that this important legislation will be passed swiftly by Congress and enacted into law.

We thank you for your continued efforts to resolve this Medicare access issue by removing the capped-rental requirement for speech-generating devices and ensuring that beneficiaries have access to necessary eye-tracking accessories for these devices.

We greatly appreciate your attention to this important issue. Should you have further questions regarding the information contained in our letter, please contact the ITEM Coalition Steering Committee, listed below, or Sara Rosta, ITEM Coalition staff, via email at Sara.Rosta@ppsv.com or by calling 202-466-6550.

Sincerely,

ITEM Coalition Steering Committee

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