

PPMA Investigating Denials on Wound Care DMEs and Home Health Care Privileges

After the first of the year, PPMA received numerous complaints from members' who were being denied when prescribing DME supplies for diabetic wound care and the ability to refer patients for home health care.

After investigating, PPMA has determined the following:

- The Department of Human Services has interpreted Section 6407 of the Federal Patient Protection and Affordable Care Act (ACA) in a manner that eliminates DPMs from making the required face-to-face encounter for "certification of eligibility." This is because DPMs are defined as physicians in Title XVIII, but not in Title XIX.
- Subsection (d) of that Section, entitled "Application to Medicaid" says that: The same "... requirements ... shall apply in the case of physicians making certifications for home health services under Title XIX ... in the same manner and to the same extent as ... physicians making such certifications under title XVIII ..."
- This definitional distinction prevents the "face-to-face" requirements from being applied under Medicaid in the "... same manner and to the same extent ..." as they are applied under Medicare; as required in the subsection (d) of Section 6407.
- It appears as though this issue is governed by the Department's interpretation of the ACA Section 6407. That interpretation, respectfully, must conform to the Commonwealth's Welfare Code provisions at 55 Section 1143 et seq., which calls for the provision of, and payment for, podiatric services.

This denial of wound care supplies, as well as home health services certifications, made by the DPM arises out of the term "physician" as employed in the Pennsylvania Medical Assistance bulletin found at:

http://www.dhs.pa.gov/cs/groups/webcontent/documents/bulletin_admin/c_231001.pdf

This Department policy appears to follow a CMS interpretation of the ACA section, which as shown above is internally inconsistent. PPMA is preparing for a meeting with the Department to discuss the negative impact that this policy has on program costs, operation, and patient morbidity.

PPMA Members please contact PPMA with examples of how this policy is affecting your patients' condition and the cost to the Department. Call 1-800-841-3668, x211, or Fax them to 717-761-4091.