

Program Memorandum Carriers

Department of Health &
Human Services (DHHS)
Centers for Medicare &
Medicaid Services (CMS)

Transmittal B-03-025

Date: APRIL 11, 2003

CHANGE REQUEST 2711

SUBJECT: Durable Medical Equipment Regional Carriers (DMERCs) - DeWall Posture Protector Orthotic Body Jacket (L0430)

I. GENERAL INFORMATION

The purpose of this Program Memorandum (PM) is to instruct the DMERCs regarding processing claims for the DeWall Posture Protector orthotic body jacket for claims received with dates of service on or after April 1, 2003.

A. Background:

On June 26, 2002, the U.S. District Court for the District of Nebraska issued a preliminary injunction ordering CMS and the DMERCs to “accept, process and pay Medicare Part B claims for the provision of the ‘DeWall Posture Protector’ [orthotic body jacket using] HCPCS code L0430.” The injunction was effective on June 26, 2002, and will remain in effect until further order of the court. At that time, CMS issued instructions to the contractors directing them to process claims for this code. Effective January 1, 2003, a decision was made by HCPCS Alpha Numeric Editorial Panel to delete code L0430. Deleted codes are given a 3 month grace period by CMS, during which time claims for L0430 were still accepted. However, that grace period ended on March 31, 2003. As such, under standard claims processing rules, the contractors, beginning April 1, 2003, may not accept claims for L0430. Therefore, contractors need instructions on how to process these claims after April 1, 2003, to enable CMS to remain compliant with the injunction.

B. Policy:

Process claims submitted for L0430 with a “WL” and “KX” modifier and when the furnished items are a DeWall Posture Protector.

II. BUSINESS REQUIREMENTS

Requirement #	Requirements	Responsibility
1	For claims with dates of service on or after January 1, 2003, that are received on or after April 1, 2003, the DMERCs must accept claims received with Code L0430 and the “WL” and “KX” modifier.	DMERC
2	DMERCs must apply all current applicable Medicare edits to such claims.	DMERC
3	For claims that pass all applicable Medicare edits, DMERCs must pay these claims using the current fee schedule amount for L0430 for any claims for dates of service on or after 1/1/03. DMERCs must also process held claims.	DMERC

4	DMERCs must be able to identify all transactions made in accordance with these instructions.	DMERC
5	DMERCs and the Statistical Analysis DMERC (SADMERC) must post this information on your Web sites as soon as possible.	DMERC & SADMERC

Version:	Effective Date: April 11, 2003
Implementation Date: April 11, 2003	Funding: normal operating budget
Discard Date: April 1, 2004	Pre-Implementation Contact: appropriate regional office
Post-Implementation Contact: appropriate regional office	