



March 28, 2016

Office of Information and Regulatory Affairs  
Attn: OMB Desk Officer for DOL-EBSA  
Office of Management and Budget  
Room 10235  
725 17<sup>th</sup> Street, NW  
Washington, DC 20503

**Submitted via E-Mail to OIRA [submission@omb.eop.gov](mailto:submission@omb.eop.gov)**

**RE: Summary of Benefits and Coverage and Uniform Glossary Required Under the Affordable Care Act**

To Whom It May Concern:

The American Orthotic & Prosthetic Association (AOPA), founded in 1917, is the largest national orthotic and prosthetic trade association with a national membership that draws from all segments of the field of artificial limbs and customized bracing for the benefit of patients who have experienced limb loss, or limb impairment resulting from a chronic disease or health condition. These include patient care facilities, manufacturers and distributors of prostheses, orthoses and related products, and educational and research institutions.

AOPA is pleased to submit the following comments regarding the proposed revision to the *Glossary of Health Coverage and Medical Terms* that was published on the Centers for Medicare and Medicaid Services (CMS) website in February, 2016. The document in question may be found at <https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/Uniform-Glossary.pdf>.

AOPA applauds the creation of a distinct definition of the term “orthotics and prosthetics” and believes that the inclusion of a separate and unique definition of the term will allow health insurers, both public and private, to acknowledge the provision of orthotic and prosthetic services as a unique classification of healthcare services, subject to individual criteria for coverage under existing and new health plans. AOPA, in partnership with The Orthotic and Prosthetic Alliance submitted extensive comments regarding the need for a separate and unique definition of orthotics and prosthetics in response to *Proposed Rule CMS-9938-P—Summary of Benefits and Coverage and Uniform Glossary* which was published for public comment in the *Federal Register* on December 30, 2014. The O&P Alliance comments on this

proposed rule, of which AOPA was a signatory, urged the inclusion of the following definition of the term “orthotics and prosthetics” in the *Summary of Benefits and Coverage and Uniform Glossary*:

***Leg, arm, back, and neck braces, and artificial legs, arms, and eyes, and external breast prostheses incident to mastectomy resulting from breast cancer. These services include: adjustments, repairs, and replacements required because of breakage, wear, loss, or a change in the patient’s physical condition.***

The creation of a unique definition for the term “orthotics and prosthetics” does not eliminate the need for inclusion of orthotic and prosthetic services under the broader heading of habilitative and rehabilitative services. Rather it identifies orthotics and prosthetics as a unique subset of these services that are distinct from other services within these categories such as durable medical equipment.

AOPA was pleased that the recommendation of the Orthotic and Prosthetic Alliance was accepted and the revised *Summary of Benefits and Coverage and Uniform Glossary* incorporated the suggested definition in its most recent iteration. AOPA would like to respectfully suggest a minor revision to the current definition of the term “orthotics and prosthetics” as it currently reads in the *Summary of Benefits and Coverage and Uniform Glossary*. While the majority of mastectomy services are a direct result of breast cancer, it has come to AOPA’s attention that there are instances in which a medically necessary mastectomy is performed without confirmation of a breast cancer diagnosis. Therefore AOPA would like to suggest that the definition of the term “orthotics and prosthetics” be revised as follows:

***Leg, arm, back, and neck braces, and artificial legs, arms, and eyes, and external breast prostheses incident to mastectomy. These services include: adjustments, repairs, and replacements required because of breakage, wear, loss, or a change in the patient’s physical condition.***

AOPA appreciates the opportunity to provide public comment on the *Summary of Benefits and Coverage and Uniform Glossary* and trusts that you find our input valuable.

Sincerely,

A handwritten signature in blue ink, appearing to read "T. Fise", is written over a faint, circular official stamp.

Thomas F. Fise  
Executive Director