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July 31, 2023

Ms. Chiquita Brooks-LaSure
Administrator
Centers for Medicare & Medicaid Services
200 Independence Ave., S.W.
Washington, DC 20201

OMB control number: 0938–1056

Re: Comments on “Agency Information Collection Activities: Proposed Collection; Comment Request CMS–855S Medicare Enrollment Application—Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Suppliers” [OMB control number: 0938–1056]

Dear Administrator Brooks-LaSure,

Introduction

The American Association for Homecare (AAHomecare) is the national association representing durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS) suppliers, manufacturers, and other stakeholders in the homecare community. Our members are proud to be part of the continuum of care that assures beneficiaries and other patients receive cost-effective, safe, and reliable home care products and services. Our members supply home oxygen therapy, positive airway pressure devices (PAP), ventilator services, complex rehabilitation technology (CRT), urological, ostomy, wound care supplies and many other medically necessary home medical equipment items and services.

Under the Paperwork Reduction Act (PRA), federal agencies are required to publish a 60-day notice in the *Federal Register* concerning each proposed collection of information before submitting the collection to the Office of Management and Budget (OMB) for approval. To comply with this requirement, CMS published the above-captioned notice in the Federal Register regarding changes to the Medicare Enrollment Application—Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Suppliers 855S form. CMS provided detailed information in the supporting materials.

The CMS–855S Medicare enrollment application is completed and submitted by DMEPOS suppliers to collect information about who the supplier is, whether the supplier has the qualifications to submit claims as a Medicare

DMEPOS supplier, and other relevant enrollment information. The application revisions include:

- Replaces references to the National Supplier Clearinghouse Medicare Administrative Contractor (NSC MAC) with DME National Provider Enrollment (NPE) contractors awarded to two contractors: Novitas (Eastern Region) and Palmetto (Western Region).
- Added Lymphedema Compression Treatment Items as covered DMEPOS items.
- Added “Chiropractor” back in as a supplier type.

AAHomecare supports all the changes made to the CMS-855S form.

AAHomecare would like to take this opportunity to recommend CMS improve communication procedures regarding these PRA notices.

CMS Should Make the Announcement on Changes to the CMS-855S More Transparent and Clearer

Typically, with PRA notices, the title does not include the name of the form that is being modified. The obscurity of the announcement hinders industry stakeholders from receiving advance notice of the changes and the opportunity to provide feedback.

AAHomecare suggests that CMS should consider implementing a requirement for all of the DME MACs to announce the commenting opportunity as it arises. This approach would ensure that industry stakeholders, who are closely monitoring DME MAC announcements, are more likely to be aware of the notice.

Copy of the Supporting Materials Should Be Included to the Federal Register Notice

With PRA notices, all supporting materials are available on a separate website that is not linked to the *Federal Register* notice, requiring stakeholders to conduct a separate search to retrieve the documents. To ensure stakeholders are accessing the correct documents and to limit stakeholder burden, AAHomecare recommends that CMS provide a web link in the supporting materials directly in the Federal Register. The documents would then be more easily accessible.

The Draft CMS-855S Form Should be Clearly Labeled as a Draft

The CMS-855S form shared with the *Federal Register* Notice lacks a clear indication that it is not the currently in-effect application. Moreover, despite it being a draft, it erroneously displays an expiration date of 10/31/2024. When sharing a draft form for public review, AAHomecare recommends CMS clearly include a watermark indicating that the document is a draft.

Conclusion

Thank you for the opportunity to comment on the changes to the CMS-855S form. If you have any questions, please contact me at kimb@aahomecare.org.

Sincerely,



Kim Brummett
Senior Vice President, Regulatory Affairs
American Association for Homecare