

Congress of the United States
Washington, DC 20515

March 12, 2007

Dear Colleague:

In the coming weeks, we will introduce legislation to modify Medicare's "in the home" restriction on mobility devices for people with disabilities. We hope you will join us as an original cosponsor of this important bill.

Currently, Medicare provides coverage only for mobility devices that are necessary for use inside a beneficiary's home. In other words, Medicare will grant coverage for a mobility device that an individual requires for in-home activities such as brushing one's teeth or cooking dinner, but will not cover a device if it is needed to go to a physician's office, attend a place of worship, go to the grocery store, return to work, or simply participate in community activities.

In the original Medicare statute, Congress defined Durable Medical Equipment (DME), under which mobility devices are classified, as "appropriate for use in the patient's home." The original intent of this legislative language was to identify DME as devices that were provided outside of a hospital or institution and, therefore, separately reimbursed under Medicare Part B. However, the Center for Medicare & Medicaid Services (CMS) has restrictively interpreted this language to mean that mobility devices will be covered only if they are needed for in-home use. The consequence of this interpretation is that many individuals with disabilities are confined to the four walls of their homes.


In the 109th Congress, many of our colleagues joined us in sending a letter to Secretary Leavitt, inquiring as to whether the Department of Health & Human Services would modify this restriction through the regulatory process. In response, Secretary Leavitt stated that it would take legislation to modify the "in the home" restriction. Therefore, we are introducing the Medicare Independent Living Act, which would eliminate the in-the-home restriction for Medicare coverage of mobility devices if they are used in customary settings for the purpose of normal domestic, vocational, or community activities.

We sincerely hope you will consider supporting this important legislation. Please contact Amy Judge with Congressman Langevin at 5-2735 or amy.judge@mail.house.gov or Andrew McKechnie with Congressman Ramstad at 5-2871 or andrew.mckechnie@mail.house.gov with any questions or to become a cosponsor of this bill.

Sincerely,



Jim Langevin
Member of Congress



Jim Ramstad
Member of Congress