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## Practitioners Get Relief from DMEPOS Accreditation Requirements

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*Practitioners Get Relief from DMEPOS Accreditation Requirements*

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Physicians and other practitioners can breathe a sigh of relief now that CMS has clarified that they do not have to meet DMEPOS requirements. New provisions in the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA) have been interpreted by CMS to exempt practitioners from durable medical equipment, prosthetics, orthotics and supplies (DMEPOS) accreditation and quality standards requirements.

Prior to MIPPA, it was CMS' position that under Section 302 of the Medicare Modernization Act of 2003 (MMA) all individuals or entities that used DMEPOS supplier numbers to bill for DMEPOS were required to meet the DMEPOS quality standards and to be accredited by an organization approved by CMS. This would have required physicians, physical and occupational therapists, optometrists and others to meet all of the requirements of commercial DME suppliers, even when only supplying limited equipment and supplies to their own patients. However, MIPPA exempts the following practitioners from the MMA requirements:

- Physicians (as defined in section 1861(r) of the Act)
- Physical Therapists
- Occupational Therapists
- Qualified Speech-Language Pathologists
- Physician Assistants
- Nurse Practitioners
- Clinical Nurse Specialists
- Certified Registered Nurse Anesthetists

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The exemption in MIPPA also allowed CMS to exempt "other persons" from the accreditation and quality standards requirements, unless CMS determines that the quality standards apply to such other persons. To date, CMS has defined such "other persons" who will be exempt as:

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Kristin C. Cilento

- Orthotists,

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- Prosthetists,

Donna J. Senft

- Opticians, and

Mark A. Stanley

- Audiologists.

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**Ober|Kaler's Comments:** CMS is working on separate regulations to determine the appropriate standards for the provision of orthotics and prosthetics that could apply to these individuals. These regulations will need to be proposed by CMS, followed by a comment period.

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