

April 24, 2012

HCPCS Coding Workgroup
Centers for Medicare & Medicaid Services
7500 Security Boulevard
Mail Stop C5-08-27
Baltimore, Maryland 21244
HCPCS@cms.hhs.gov

Re: HCPCS Public Meeting Agenda Item #19, Personal FM/DM Auditory Devices

Dear Members of the HCPCS Coding Workgroup:

Thank you for the opportunity to comment on the HCPCS Public Meeting, specifically, the application for the establishment of 11 new codes to describe a category of personal Frequency-Modulated/Digitally-Modulated (FM/DM) auditory devices. These comments speak for a collaborative group of professional audiology organizations representing audiologists, manufacturers, and individuals with hearing impairment.

The group was pleased with the acceptance of 10 of the 11 proposed codes. The use of FM/DM technology is on the rise with the advent of Bluetooth technology and the ability for connectivity to public and private media communications technology. Our comments pertain to four main issues: 1) correction of trade name typographical errors; 2) typographical errors in the Vxxx2 descriptor that deviate from what was requested in the original HCPCS application; 3) preliminary decision language that alters the nature of five (5) proposed codes by adding “for replacement only”; and 4) the preliminary decision to modify V5267.

I. Trade Name Typographical Errors

On the second line of the Topic/Issue, for the trade names, the following items contain errors:

- ZoomLink should read Zoomlink
- Inspior should read Inspiro
- Micro Link Freedom should read MicroLink Freedom.

II. Vxxx2 Descriptor Typographical Errors

In the HCPCS Code application submitted to CMS in January 2012, a different descriptor was submitted for code #2 of 11 in response to Question #1. We requested that the code read as follows:

Assistive listening device, personal FM/DM system, binaural, (2 receivers, transmitter, microphone) any type.

However, in the Preliminary Decision, the HCPCS Coding Workgroup inadvertently changed our item request to read:

Assistive listening device, personal FM/DM system, binaural, (2 receivers, transmitters, microphones), any type.”

Specifically, the addition of an (s) on the words transmitter and microphone is an error. The standard fitting of a binaural FM/DM system is 2 receivers, 1 transmitter, and 1 microphone. For this reason, no additional transmitter or microphone is necessary. The above requested correction will avoid confusion and misinterpretation by providers and payers.

III. Addition of “For Replacement Only”

The group would like to express concern over the addition of “for replacement only” to the codes Vxxx3, Vxxx4, Vxxx5, Vxxx7, and Vxx10. While we agree that in many cases receivers and microphones will be provided as replacements to the original equipment provided with a FM/DM system, there are numerous circumstances when a patient’s situation will require the use of an additional microphone and receiver.

The following are provided as examples:

1. A family with multiple hearing impaired members in which additional receivers are required;
2. A child that requires the immediate input by more than one speaker, which would necessitate an additional microphone as opposed to passing one microphone back and forth between the speakers.

In conclusion, adding “for replacement only” to the code descriptors insinuates a coverage decision, and may inadvertently limit access to medically necessary microphones and receivers by Medicaid and private payers.

IV. Preliminary Decision to Modify V5267

The audiology organizations appreciate and support the preliminary decision to add miscellaneous accessories for FM/DM systems to the current Assistive Listening Device code set. While we would prefer that the Workgroup had accepted our original proposal that the FM/DM accessories be recognized independently to avoid confusion or misinterpretation, we understand the reasoning in the preliminary decision to modify an existing code to accommodate the need for FM/DM accessories.

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Should you have any questions regarding this comment letter, please do not hesitate to contact Sharmila Sandhu, Esq., Director of Regulatory Affairs, American Academy of Audiology at 202.544.9337 or via email at ssandhu@audiology.org.

Sincerely,

American Academy of Audiology
Academy of Doctors of Audiology
Academy of Rehabilitative Audiology
American Speech-Language-Hearing Association
Directors of Speech and Hearing Programs in State Health and Welfare Agencies
Educational Audiology Association
Hearing Industries Association