



General Assembly

**Amendment**

February Session, 2014

LCO No. 4266

**\*SB0032504266SD0\***

Offered by:

SEN. SLOSSBERG, 14<sup>th</sup> Dist.  
REP. ABERCROMBIE, 83<sup>rd</sup> Dist.  
REP. WOOD, 141<sup>st</sup> Dist.  
REP. GUERRERA, 29<sup>th</sup> Dist.

REP. NAFIS, 27<sup>th</sup> Dist.  
SEN. DOYLE, 9<sup>th</sup> Dist.  
SEN. MARKLEY, 16<sup>th</sup> Dist.

To: Subst. Senate Bill No. 325

File No. 383

Cal. No. 266

**"AN ACT CONCERNING MEDICAID RECIPIENTS WITH COMPLEX MEDICAL NEEDS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective from passage*) (a) As used in this section:

4 (1) "Complex rehabilitation technology" means products classified  
5 as durable medical equipment within the Medicare program as of  
6 January 1, 2013, that are individually configured and medically  
7 necessary for individuals to meet their specific and unique medical,  
8 physical and functional needs and capacities for basic and  
9 instrumental activities of daily living. Complex rehabilitation  
10 technology includes, but is not limited to, (A) complex rehabilitation  
11 manual and power wheelchairs and accessories, (B) adaptive seating  
12 and positioning items and accessories, and (C) other specialized

13 equipment and accessories, such as standing frames and gait trainers.

14 (2) "Employee" means a person whose taxes are withheld by a  
15 qualified complex rehabilitation technology supplier and reported to  
16 the Internal Revenue Service.

17 (3) "Healthcare Common Procedure Coding System" or "HCPCS"  
18 means the billing codes used by Medicare and overseen by the federal  
19 Centers for Medicare and Medicaid Services that are based on the  
20 current procedural technology codes developed by the American  
21 Medical Association.

22 (4) "Individually configured" means a device with a combination of  
23 sizes, features, adjustments or modifications that is customized by a  
24 qualified complex rehabilitation technology supplier for a specific  
25 individual by measuring, fitting, programming, adjusting or adapting  
26 the device so that the device is consistent with the individual's medical  
27 condition, physical and functional needs and capacities, body size,  
28 period of need and intended use as determined by an assessment or  
29 evaluation by a qualified health care professional.

30 (5) "Medically necessary" has the same meaning as provided in  
31 section 17b-259b of the general statutes.

32 (6) "Mixed HCPCS codes" means codes that refer to a mix of  
33 complex rehabilitation technology products and standard mobility and  
34 accessory products.

35 (7) "Pure HCPCS codes" means codes that refer exclusively to  
36 complex rehabilitation technology products and services.

37 (8) "Qualified complex rehabilitation technology professional"  
38 means an individual who is certified as an Assistive Technology  
39 Professional by the Rehabilitation Engineering and Assistive  
40 Technology Society of North America.

41 (9) "Qualified complex rehabilitation technology supplier" means a

42 company or entity that:

43 (A) Is accredited by a recognized accrediting organization as a  
44 supplier of complex rehabilitation technology;

45 (B) Is an enrolled Medicare supplier and meets the supplier and  
46 quality standards established for durable medical equipment,  
47 including those for a complex rehabilitation technology supplier under  
48 the Medicare program;

49 (C) Has at least one employee who is a qualified complex  
50 rehabilitation technology professional for each service location to (i)  
51 analyze the needs and capacities of an eligible individual in  
52 consultation with a qualified health care professional, (ii) participate in  
53 the selection of appropriate covered complex rehabilitation technology  
54 for such needs and capacities, and (iii) provide technology-related  
55 training in the proper use of the complex rehabilitation technology;

56 (D) Requires a qualified complex rehabilitation technology  
57 professional be physically present for the evaluation and  
58 determination of appropriate complex rehabilitation technology for an  
59 eligible individual;

60 (E) Has the capability to provide service and repair by qualified  
61 technicians for all complex rehabilitation technology it sells; and

62 (F) Provides written information regarding how to receive service  
63 and repair of complex rehabilitation technology to the eligible  
64 individual at the time such technology is delivered.

65 (10) "Qualified health care professional" means a health care  
66 professional licensed by the state Department of Public Health who  
67 has no financial relationship with a qualified complex rehabilitation  
68 technology supplier. Qualified health care professional includes, but is  
69 not limited to, (A) a licensed physician, (B) a licensed physical  
70 therapist, (C) a licensed occupational therapist, or (D) other licensed  
71 health care professional who performs specialty evaluations within the

72 professional's scope of practice.

73 (b) The Commissioner of Social Services shall, not later than January  
 74 1, 2015, report to the joint standing committee of the General Assembly  
 75 having cognizance of matters relating to human services on the impact  
 76 of: (1) Designating products and services included in mixed and pure  
 77 HCPCS billing codes as complex rehabilitation technology; (2) setting  
 78 minimum standards consistent with subdivision (9) of subsection (a) of  
 79 this section in order for suppliers to be considered qualified complex  
 80 rehabilitation technology suppliers eligible for Medicaid  
 81 reimbursement; (3) preserving the option for complex rehabilitation  
 82 technology to be billed and paid for as a purchase allowing for single  
 83 payments for devices with a length of need of one year or greater,  
 84 excluding approved crossover claims for clients enrolled in Medicare  
 85 and Medicaid; and (4) requiring eligible individuals receiving a  
 86 complex rehabilitation manual wheelchair, power wheelchair or  
 87 seating component to be evaluated by a qualified health care  
 88 professional and a qualified complex rehabilitation technology  
 89 professional to qualify for reimbursement.

90 (c) Notwithstanding the provisions of chapter 54 and section 17b-10  
 91 of the general statutes, not later than thirty days before implementing  
 92 any policies or procedures related to complex rehabilitation technology  
 93 or submitting any proposed regulations concerning complex  
 94 rehabilitation technology to the standing legislative regulation review  
 95 committee, the commissioner shall submit such proposed policies,  
 96 procedures or regulations to the joint standing committee of the  
 97 General Assembly having cognizance of matters relating to human  
 98 services for review and approval."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section