

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop C5-08-27
Baltimore, Maryland 21244-1850



Center for Medicare

NOV 07 2014

Alan Kercher
Endolite
1031 Byers Road
Miamisburg, OH 45342

Re: 14.081

Request to establish a new level II HCPCS code to identify a Microprocessor Controlled Ankle-Foot system, trade name: Elan. Applicant's suggested language: Endoskeletal ankle foot system, microprocessor controlled feature, independent variable energy storage and hydraulic stance control, independent planter flexion and dorsiflexion dampening with automatic terrain response includes sensors and power source.

Dear Mr. Kercher:

On behalf of the Centers for Medicare and Medicaid Services (CMS), I would like to thank you for your application to modify the HCPCS Level II code set. The HCPCS Level II code set is available for use by all payers, and is maintained by CMS taking into consideration the national program operating needs of all payers, including Medicare, Medicaid, and Private Insurers.

CMS reviewed your application and published the following preliminary decision:

Existing code L5973 "Endoskeletal ankle foot system, microprocessor controlled feature, dorsiflexion and/or plantar flexion control, includes power source", adequately describes the device that is the subject of this request. The feature described by existing code L5968 "Addition to lower limb prosthesis, multiaxial ankle with swing phase active dorsiflexion feature" is included in existing code L5973 and therefore separate billing of code L5968 would be duplicative.

We appreciate the comments you provided at CMS' HCPCS Public Meeting in reaction to our published preliminary decision. Specifically, you agreed with the CMS' preliminary decision and thanked the workgroup for the clarification of L5968.

The CMS HCPCS Workgroup reconvened to consider input provided at the public meeting. CMS upheld its decision that existing code L5973 "Endoskeletal ankle foot system, microprocessor controlled feature, dorsiflexion and/or plantar flexion control, includes power source", alone adequately describes the device that is the subject of this request including all functions.

The HCPCS Level II codes describe categories of like items. The code set is not intended to be an exhaustive listing of all products on the market. While CMS believes that existing code L5973 describes this product, as a general rule, the CMS does not classify individual items into code categories on behalf of insurers. Individual insurers have the necessary flexibility to classify specific products into HCPCS Level II code categories and establish their own coding instructions in accordance with their policies and program operating needs. Questions regarding classification of products into HCPCS Level II code categories should be submitted to the insurer in whose jurisdiction a claim would be filed. For private sector health insurance systems, please contact the individual private insurance entity. For Medicaid systems, please contact the Medicaid Agency in the state in which the claim is being filed.

Under contract to CMS, the Pricing, Data Analysis and Coding (PDAC) provides coding verifications for the purpose of billing Medicare. For confirmation of appropriate code assignment for Medicare billing, you may contact the PDAC Contact Center toll free at 877-735-1326. For your convenience, the PDAC has compiled a product classification system called DMECS that lists individual products by brand name under code categories. This system is available at: <http://www.dmepdac.com>. If you do not find your product listed by the PDAC matrix, you may request a coding verification for your product by contacting the PDAC at the toll free telephone number listed above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cynthia Hake".

Cynthia Hake, Director
CMS National HCPCS Coding Program