



Make today a breakthrough.

February 22, 2023

Chiquita Brooks-LaSure
Administrator
Centers for Medicare and Medicaid Services
7500 Security Blvd
Baltimore, MD 21244

Re: Cure SMA Public Comment in Support of Proposed National Coverage Determination Related to Power Seat Elevation Equipment on Power Wheelchairs

Dear Administrator Brooks-LaSure:

On behalf of children and adults with a neuromuscular disease known as spinal muscular atrophy (SMA), **Cure SMA is pleased to support the proposal released by the Centers for Medicare and Medicaid Services (CMS) to expand Medicare coverage for seat elevation systems for power wheelchairs.** When implemented, the new seat elevation National Coverage Determination (NCD) will help to ensure that individuals with SMA and others can access this medically necessary wheelchair feature.

Many children and adults with SMA, a degenerative disease that robs individuals of physical strength, use power wheelchairs due to loss of ambulation and fine motor skills. *“Wheelchairs are our legs. Wheelchairs are a lifeline. Wheelchairs are independence,”* said a **Florida woman with SMA.** Most power wheelchair users with SMA spend *at least 7 hours daily* in their chairs, including 47% who spend *more than 12 hours per day*, according to a recent Cure SMA survey on seat elevation and standing systems.ⁱ Individuals with SMA regularly tailor their wheelchairs with posterior tilt, power recline, and leg rest elevation to meet their individual needs associated with SMA. Because CMS does not currently consider seat elevation as a durable medical equipment (DME) for purposes of coverage, many individuals with SMA are denied coverage of seat elevation systems despite their clear medical benefits, including improved mental and physical health, increased quality of life, and greater independence. *“My insurance utilizes Medicare guidelines and has denied this feature stating it is not medically necessary,”* a **California woman with SMA** said about the coverage denial from her private insurer for a seat elevation system. As a result, many individuals with SMA have been forced to live without seat elevation or find other means to obtain this necessary wheelchair option.

The proposed NCD released on February 15th by CMS would promote access and improve the lives of individuals with SMA and other disabilities who would benefit from seat elevation.ⁱⁱ In the proposed seat elevation NCD, CMS found that *“there is sufficient evidence to conclude that power seat elevation equipment on Group 3 power wheelchairs meets the definition of DME.”* CMS pointed to the important benefit seat elevation provides in safe seat transfers. *“We are aware that survey results have been published to convey the difficulties of performing non-level transfers,”* CMS wrote in its decision memo. Individuals with SMA agree, based on their own experience with transfers to surfaces such as chairs, beds, and exam tables



that are not level. *“Not having seat-height variability, I have experienced physical injury while being transferred from my chair,”* said a **Massachusetts man with SMA**. The proposed NCD acknowledges this experience by concluding that *“power seat elevation equipment is expected to help reduce the transfer related mobility limitations of those individuals who use power wheelchairs to safely move about their homes and thus are reasonable and necessary.”*

Cure SMA also appreciates that CMS examined health disparities among people with disabilities when considering its NCD for seat elevation. CMS pointed to several studies that highlighted how minorities with low socioeconomic backgrounds were more likely to have standard programmable power wheelchairs rather than those with extra features, such as seat elevation. Broadly expanding coverage of seat elevation systems in power wheelchairs, as proposed by this NCD, will help to address the inequities faced by some individuals with SMA and other disabilities. As your decision memo rightfully points out, *“access to appropriate equipment, including wheelchairs, regardless of socioeconomic characteristics”* is critical in the ability of a person with a mobility impairment to regain function and independence.

As the national organization that represents children and adults with SMA and their families, Cure SMA is pleased to support the proposed NCD related to Medicare coverage of seat elevation systems in power wheelchairs. Expanding Medicare coverage for power seat elevation equipment will also promote greater access to medically necessary wheelchair options for wheelchair users covered through other insurance plans. As you finalize the seat elevation NCD, Cure SMA also respectfully asks that you next reconsider your coverage policy related to standing systems in power wheelchairs. Like seat elevation, standing systems are also medically necessary, helping with everything from improving digestion and bone density to reducing pressure sores and urinary tract infections. The current CMS policy limits access to standing systems, particularly for those with limited incomes or from socioeconomic backgrounds, despite evidence and real-world experiences highlighting the benefit and need for standing systems. We ask that you act next on expanding coverage for standing systems in Medicare.

Thank you for your consideration. For more information, please contact Maynard Friesz, Vice President for Policy at Cure SMA, at maynard.friesz@curesma.org or 202-871-8004.

Sincerely,

Kenneth Hobby
President
Cure SMA

Maynard Friesz
Vice President of Policy & Advocacy
Cure SMA

ⁱ Online Survey on Seat Elevation and Standing Systems in Power Wheelchairs; Cure SMA, August 2022

ⁱⁱ NCD on Seat Elevation Systems in Power Wheelchairs (Group 3), CMS, February 2023. <https://www.cms.gov/medicare-coverage-database/view/ncacal-decision-memo.aspx?proposed=Y&NCAId=309>