noridian
Healthcare Solutions

900 42nd Street South
Fargo, ND 58103

January 10, 2017

ABILITY DYNAMICS LLC
1236 WEST SOUTHERN AVENUE # 101
TEMPE AZ 85282

Re: Assigned HCPCS Codes for DME Billing

Xref: 60935451

RUSH87	ABILITY DYNAMICS LLC	L5981

Dear J Blount Swain:

The Pricing, Data Analysis, and Coding (PDAC) contractor has reviewed the product(s) listed above and has approved the listed Healthcare Common Procedure Coding System (HCPCS) code(s) for billing the four Durable Medical Equipment Medicare Administrative Contractors (DME MACs).

The PDAC Contractor provides coding assistance to manufacturers to ensure proper coding of Durable Medical Equipment, Prosthetics, Orthotics, and Supplies **(**DMEPOS). The PDAC publishes coding decisions based on the coding guidelines established by the Local Coverage Determinations (LCDs) and associated Policy Articles and any related Advisory Articles established by the DME MACs. All products submitted to the PDAC for a coding verification review are examined by coders and professionals following a formal, standardized process.

The PDAC has reviewed the above listed product(s). Based on this review and application of DME MAC policy, the HCPCS code(s) listed below should be used when billing the DME MACs:

L5981 - All Lower Extremity Prostheses, Flex-Walk System Or Equal

The Ability Dynamic's foot model RUSH87 coding verification application requested two codes, in combination, be assigned to this product:

- L5987 (ALL LOWER EXTREMITY PROSTHESIS, SHANK FOOT SYSTEM WITH VERTICAL LOADING PYLON)

- L5986 (ALL LOWER EXTREMITY PROSTHESES, MULTI-AXIAL ROTATION UNIT ('MCP' OR EQUAL)

The RUSH87 prosthetic foot has the following characteristics:

• It is a composite material foot with the optional connectors that allow it to be utilized for Endoskeletal and possibly Exoskeletal prosthesis as well.
• It has a continuous (monolithic), J-shape keel that extends proximally into a vertical orientation. This design provides for energy storing function.
• Height of the vertical section from the sole extends to just under 6 inches and does not include 4-hole pattern connectors which are bolted thru the flat vertical surface of the upper end of the J-shaped keel.
• Adjoining at the toe is a sole plate that extends posteriorly to create a heel section.
• There is a large black rectangular block of compressible material affixed to the underside of the J-shaped keel which impacts the sole plate to constrain motion of these two sections.
• There is no distinct component that is identifiable as a multi-axial rotation unit.
• There is no distinct component that is identifiable as a vertical loading pylon.
• Removable foot shell is included to cover keel and soleplate.

The HCPCS code assigned to the RUSH87 is based upon criteria set out in the code narrative, CMS and DME MAC coding instructions contained in bulletin articles, relevant Coding Guidelines, and an analysis of the relevant predicate product(s). Predicate products is the term used to refer to the items that form the basis of the code descriptor and are important to provide context in interpretation of the code narrative and related coding guidelines. Based upon these sources, the requested HCPCS codes require:

• L5987 (ALL LOWER EXTREMITY PROSTHESIS, SHANK FOOT SYSTEM WITH VERTICAL LOADING PYLON) requires a distinct component of the shank foot system that allows purely vertical motion within the pylon or shank section. In addition, L5987 describes a product that has all of the required components integrated into a single product, i.e., not an assembly of separate components. It is a J-shaped foot with energy storing foot design. It has a vertical loading pylon. “Shank” refers to the product having sufficient vertical height that emulates the lower leg. The “vertical loading pylon” is a vertically telescoping pylon with a composite fiber spring link. The pylon can be adjusted for optimal height with respect to the prosthesis as a whole. The composite spring attached to the side of the pylon allows a controlled motion of the telescoping pylon component. The predicate product is the Flex Foot Reflex VSP, CMS application #94.44. This code does not describe vertical loading or shock absorption achieved as a result of the inherent flexibility of the J-shaped foot design. The foot shell may or may not include cosmetic details.

• L5986 (ALL LOWER EXTREMITY PROSTHESES, MULTI-AXIAL ROTATION UNIT ('MCP' OR EQUAL) describes a separate component that is attached to a foot. The narrative “multi-axial rotation unit ('mcp' or equal)” describes a product that allows motion in all three planes of motion: Coronal, Sagittal, and Transverse. This component may have distinct axles or pivots or some type of compressible material, like a firm rubber along with coupling surfaces, is attached to the foot and simulates anatomic ankle motions for the amputee while walking. This code does not describe multi-axial motion through multiple planes achieved as a result of the inherent flexibility of the foot design.

The RUSH87 does not have a distinct component that is identifiable as a vertical loading pylon; therefore, L5987 is not assigned. Also, there is no distinct component that is identifiable as a multi-axial rotation unit; therefore, L5986 is not assigned.

Based upon the requirements described above, the following HCPCS code is assigned:

> • Code L5981 (ALL LOWER EXTREMITY PROSTHESES, FLEX-WALK SYSTEM OR EQUAL). This code describes a specific predicate product in the narrative, i.e., Flex-Walk system or equal. The Flex-Walk is an energy storing J-shaped design based on a monolithic carbon composite keel. At 4 inches the Flex-Walk system makes a 90+ degree bend anteriorly to form a flat coupling surface. It has a heel component bolted midway onto the J-shaped keel section. A 4-hole pattern coupling option is used. The Flex-Walk is no longer available on the market. It has been replaced with the Vari-Flex which has similar characteristics with a similar shank height but now has a straight shank. It includes a foot shell which may or may not include cosmetic details. Vari-Flex XC with Evo has been reviewed and assigned to code L5981.

This decision applies to the application we received on October 14, 2016. If information submitted in that application has changed or were to change, it could impact our decision. Therefore, a new application would need to be submitted for HCPCS coding verification review. The coding assigned in this decision letter will be available on the Product Classification List (PCL) on the Durable Medical Equipment Coding System (DMECS) within ten (10) working days from the letter's date. The DMECS can be accessed on the PDAC website, www.dmepdac.com. Please take the time to verify that this coding decision is correctly reflected in DMECS.

If you disagree with this decision, you may request a reconsideration within 45 days of the letter's date and provide evidence to substantiate a reconsideration of PDAC's original coding determination. To request a reconsideration, complete the Reconsideration Request form located on the PDAC website at https://www.dmepdac.com/review/requesting.html. If your request for a reconsideration is made after the 45-day time frame, it will require a new application and documentation to support the request.

It is the responsibility of manufacturers and distributors to notify the PDAC immediately of any changes involving their products, as listed on the PCL on DMECS. Further information for requesting updates to the PCL can be found on the PDAC website at https://www.dmepdac.com/review/notifying.html. It is also the responsibility of manufacturers and distributors to assure their websites and product marketing materials accurately reflect the product reviewed by the PDAC and the coding decision assigned.

An assignment of the HCPCS code(s) to product(s) is not an approval or endorsement of the product(s) by Medicare or Noridian Healthcare Solutions; nor does it imply or guarantee claim reimbursement or coverage.

If you have questions about policy, claim coverage or reimbursement, please contact the DME MAC for your jurisdiction. For other questions, contact the PDAC Contact Center at the address listed above or by telephone at (877) 735-1326. The Contact Center is open Monday through Friday from 8:30 a.m. to 4 p.m. CT.

Sincerely,

PDAC
Noridian Healthcare Solutions, LLC
www.dmepdac.com