⊕ PROTEOR

MEDICARE LCD 33787 AND POLICY ARTICLE A52496 SUMMARY

- Went into effect September 1, 2024
  - Some non-Medicare payors have adopted the language as well, more may in the future
- KX, GA, GY, and GZ Modifiers were added
  - GA, GY and GZ have always been valid for use
  - KX must be appended to all LLP HCPCS
- Expanded K Level Descriptors
  - Review expanded descriptors here:
    https://www.cms.gov/medicare-coverage-database/view/article.aspx?articleId=52496
  - Expanded coverage for microprocessor knees for patients designated as K2 functional level ambulators:
  - The patient has a clinical evaluation to determine their functional level; **and**
  - Supporting documentation outlines:
    - » The selected component will improve the patient's functional health outcomes (e.g., fall reduction, injury prevention, lower energy expenditure); **and**
    - » Help the patient accomplish their ADLs; **and**
    - » Lower-level knee systems have been considered/ruled out based on the patient's specific needs (not required to list all possible knees)
  - L5856, L5857 and K5858 for K2 patients:
    - » The selected knee is indicated for K2 use; **and**
    - » The selected knee has a stumble recovery feature; **and**
    - » The patient is able to use a product that requires daily charging; **and**
    - » The patient is able to understand error alerts and alarms related to problems with the unit
- Expanded coverage for microprocessor-controlled ankle foot system (L5973), energy storing foot (L5976), dynamic response foot with multi-axial ankle (L5979), flex foot system (L5980), flex-walk system or equal (L5981), or shank foot system with vertical loading pylon (L5987) is covered when one of the following criteria is met:
  - The beneficiary's functional level is 3 or above; **OR**
  - The beneficiary's functional level is 2; **and**
  - Meets the functional level 2 coverage criteria for a fluid, pneumatic, or electronic/microprocessor control addition for a prosthetic knee; **and**
  - A higher-level (i.e., functional level 3) foot is required for the safe and proper use of the prescribed knee system
  - <u>Example</u>: The SYNSYS Microprocessor Full-Leg System has a microprocessor knee and microprocessor ankle that are linked, so the MPA is required for safe and proper use of the MPK
- Clearly defined prosthetic systems including: Immediate post-op, preparatory, initial, exoskeletal, and endoskeletal
- Basic Coverage Criteria remains the same:
  - Documented by the treating practitioner (physician **and** prosthetist):
    - » Patient will reach or maintain a defined functional state within a reasonable period of time; **and**
    - » Patient is motivated to ambulate
  - Documented by the treating practitioner (physician **or** prosthetist):
    - » Selection of componentry must be supported by the functional level established by the physician **and** prosthetist

TIPS FOR PROSTHETIST NOTES — PAINT A PICTURE!

1. Ensure Basic Coverage Criteria is met:
   a. Documented by the treating practitioner (physician **and** prosthetist):
      i. Patient will reach or maintain a defined functional state within a reasonable period of time; **and**
      ii. Patient is motivated to ambulate
   b. Documented by the treating practitioner (physician) or prosthetist:
      i. Selection of componentry must be supported by the functional level established by the physician **and** prosthetist

2. Explain in detail the patient's needs, ADLs, recreational activities, and vocational activities, and how the features of the particular products/componentry being provided matches these activities and needs:
   a. Example: Patient A lives in an apartment on the third floor in a building without an elevator, and has two children and 3 dogs. This requires them to navigate 3 stories of stairs up and down multiple times a day to take the children to and from school and recreational activities, take the dogs outside for walks, and carry groceries and packages from the car to their apartment. The SYNSYS allows the patient to place their full foot on the stair when descending steps to increase the foot flat time and their confidence and stability when descending stairs and provides active dorsiflexion during swing to decrease the chance they'll catch their toe on the step ascending stairs. Their children participate in soccer and football after school, requiring Patient A to carry their equipment, snacks, and foldable chairs to and from their car to the grass fields during and after practice and games. When not attending their children's sports activities, Patient A goes for hikes in the local park on the weekends, requiring them to navigate uneven terrain, slopes, and hills, and unpaved surfaces. The active dorsiflexion during swing of the SYNSYS and 42 degrees of ankle range of motion decreases the chance of catching their toe on uneven surfaces and unexpected obstacles like sticks and conforms to hills and slopes to reach foot flat quickly and increase knee stability. Patient A works in the garden center of a big box store watering the plants, stocking shelves, and standing for long periods of time at the cashier's desk to ring out people's purchases. The SYNSYS features a kinematic coupling between the knee and ankle, allowing Patient A to squat naturally when stocking lower shelves, is splash resistant to water when they're watering plants, and features an automatic standing support that provides support during their standing at the cashier desk. Should the patient happen to catch their toe, SYNSYS has a stumble recovery feature that prevents the knee from flexing during a stumble, but still allowing knee extension, allowing the patient to catch themselves on their prosthesis and transfer weight to their intact limb to allow them to naturally recover from a stumble.

3. Be as specific as possible, too much information is better than not enough! Paint a detailed picture of the patients everyday life and how the specific product will help them with their ADLs.

RESOURCES:

- LCD L33787: https://www.cms.gov/medicare-coverage-database/view/lcd.aspx?LCDld=33787
- Policy Article A52496: https://www.cms.gov/medicare-coverage-database/view/article.aspx?articleId=52496
- Response to Proposed LCD L37787: https://www.cms.gov/medicare-coverage-database/view/article.aspx?articleId=59857&ver=3