

DMEPOS Competitive Bidding Program: Physicians & Other Treating Practitioners, Physical Therapists & Occupational Therapists

All DMEPOS Competitive Bidding Program (CBP) Round 2021 Contracts for off-the-shelf (OTS) back braces and for OTS knee braces expired on December 31, 2023. As of January 1, 2024, there's a temporary gap period for the DMEPOS CBP. Visit DMEPOS Competitive Bidding for more information.







Under the Medicare DMEPOS Competitive Bidding Program (CBP), patients with Original Medicare who live in or visit a competitive bidding area (CBA) must get off-the-shelf back or knee braces from approved suppliers, unless the braces are provided by either:

- Physicians and other treating practitioners (physician assistants, nurse practitioners, and clinical nurse specialists)
- Physical therapists and occupational therapists

The CBP was in effect only for off-the-shelf (OTS) back and knee braces from January 1, 2021, through December 31, 2023.

Who Qualifies for These Exceptions?

Medicare physicians, physician assistants, nurse practitioners, and clinical nurse specialists who are enrolled as Medicare DMEPOS suppliers may provide OTS back and knee braces to **their own patients** without being a contract supplier if they:

- Provide the OTS back or knee brace to their own patient as part of their professional service
- Bill the OTS back or knee brace to a DME Medicare Administrative Contractor using either:
 - Their assigned DMEPOS billing number
 - The DMEPOS billing number of the group practice to which they've reassigned the right to get Medicare payment

These exceptions don't affect the applicability of the Physician Self-Referral Law (Stark law) provisions in section 1877 of the Social Security Act. All provisions of the Physician Self-Referral Law remain fully in effect.

Physical therapists and occupational therapists in **private practice** who are enrolled as Medicare DMEPOS suppliers can provide OTS back and knee braces without being a competitive bidding contractor if they give these <u>items</u> to their own <u>patients</u> as part of the physical or occupational therapy service.

What Payment Rules Apply Under These Exceptions?

We pay the single payment amount (SPA) established by the CBP for OTS back and knee braces provided under these exceptions, and the provider must accept assignment. Find SPAs at Competitive Bidding Implementation Contractor.



What Billing Rules Apply Under These Exceptions?

To get paid for OTS back braces as a non-contract supplier, physicians and other treating practitioners should use modifier KV and physical therapists and occupational therapists should use modifier J5 and use HCPCS code: L0450, L0455, L0457, L0467, L0469, L0621, L0623, L0625, L0628, L0641, L0642, L0643, L0648, L0649, L0650, or L0651.

To get paid for OTS knee braces as a non-contract supplier, physicians and other treating practitioners should use modifier KV and physical therapists and occupational therapists should use modifier J5 and use HCPCS code: L1812, L1830, L1833, L1836, L1850, L1851, or L1852.

On the claim, the OTS back or knee brace line item must have the same date of service as the professional service office visit or physical or occupational therapy service. Submit the office visit or therapy claim and the OTS back or knee brace claim on the same day to ensure timely and accurate claims processing.

How Do I Know if I'm in a CBA?

We define CBAs by ZIP Codes. Find CBA supplier information at DMEPOS Competitive Bidding Program.

Resources

- Competitive Bidding Implementation Contractor
- DMEPOS Competitive Bidding Program

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