



DMEPOS Suppliers Face 9/27 Deadline To Meet Tightened Medicare Standards

Tuesday, August 31, 2010

Suppliers of durable medical equipment, prosthetics, orthotics, and related supplies (DMEPOS) must act quickly to comply with a new Centers for Medicare & Medicaid Services final regulation governing their Medicare program participation scheduled to take effect on September 27, 2010. CMS has announced that it intends to require all DMEPOS suppliers to meet the new standards set forth in the final regulation published in the Federal Register on August 27, 2010.

The Final Regulation available for review [here](#) adds a number of clarifications and revisions to already existing Medicare program participation requirements for DMEPOS. Among other things, for instance, the Final Regulation:

- Requires a DMEPOS supplier be licensed to provide licensed service(s) and prohibits suppliers from meeting this requirement by subcontracting with third parties;
- Places new requirements on the solicitation of beneficiaries by DMEPOS;
- Imposes a physical location requirement specifying that DMEPOS generally must maintain physical locations meeting minimum size, staffing and office hour requirements unless certain exceptions apply;
- Imposing certain new operational requirements; and
- Requiring DMEPOS to submit to certain routine, unscheduled site visits during the supplier's posted hours of operation by CMS and others

To minimize their potential risks for failing to meet these new standards, DMEPOS suppliers should evaluate and update their existing practices in response to the Final Regulations as well as the additional interpretive insights include in the preamble to the Final Regulations.

For More Information or Assistance

If you need assistance reviewing and updating your existing practices in response to the Final Regulation other privacy, or other health industry regulatory, reimbursement or other operational or compliance concerns, please contact the author of this update, attorney Cynthia Marcotte Stamer. Ms. Stamer has extensive experience advising and assisting health care providers and other health industry clients with licensure, contracting, reimbursement, compliance, public policy, regulatory, staffing, and other operations and risk management matters. Ms. Stamer also regularly publishes and conducts training on these and other compliance, management and operations matters. You can contact Ms. Stamer to inquire about engaging her services or for information about training or other resources that she provides at (469) 767-8872 or via e-mail [here](#). To get more information about Ms. Stamer and her health industry experience, see [here](#).

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