



## **Information about Medical Equipment and B.B. v. Miller**

Removeable medical equipment is available for *all MA recipients*.

- However, the plaintiff class for *B.B. v. Miller* is limited to children under the age of 21 who have mobility impairments.

The retroactive date for coverage of the equipment is April 1, 2020.

- However, class members who were denied coverage on or after July 1, 2017 may submit a renewed request for the equipment.

### **What is Covered**

Wheelchair lifts, stair glides, ceiling lifts, metal accessibility ramps and other items that are used by a beneficiary with a mobility impairment to enter and exit the home or to support activities of daily living; and are removeable or reusable without damage to the item.

Coverage includes installation. Installation of the medical equipment and appliances includes, *but is not limited to*:

- a. Parts or supplies provided or recommended by the manufacturer for attaching or mounting the item to the surface at the home or residence;
- b. Labor to attach or mount the item to a surface per the manufacturer's installation guide;
- c. Required permits;

- d. Installing an electrical outlet or connection to an existing electrical source;
- e. Pouring a concrete foundation (slab) according to the manufacturer's instructions (which may include leveling the ground under the concrete foundation);
- f. External supports, such as bracing a wall;
- g. Removing a portion of an existing railing or bannister only as needed to accommodate the equipment.

\*The Federal regulations clarify that this equipment must be made available to recipients *in any setting in which normal life activities take place*, so if it is needed in a community setting, is medically necessary, and is not duplicative or used by other people, Medicaid should pay as the payor of last resort.

## **What is Not Covered**

Home modifications are not covered. Home modifications include:

- a. Modifications to the home or place of residence;
- b. Repairs of the home, including repairs caused by the installation, use, or removal of the medical equipment or appliance; and
- c. Changes to the internal or external infrastructure of the home or residence including:
  - i. Adding internal supports such that the support requires access to the area behind a wall or ceiling or underneath the floor;
  - ii. Constructing retaining walls or footers for a retaining wall;
  - iii. Installation of or modification of a deck;
  - iv. Installation of a driveway or sidewalk;
  - v. Upgrading the electrical system;
  - vi. Plumbing;

- vii. Ventilation or HVAC work;
- viii. Widening a doorway;
- ix. Drywall;
- x. Painting;
- xi. Installation of flooring;
- xii. Tile work;
- xiii. Demolition of existing property or structure.

### **Other**

- Until at least June 25, 2022, DHS will require each MCO to identify a case manager or other staff person to assist each class member who submits a request for Removable Mobility Devices.
- Prior authorization is required for the purchase of all appliances or equipment if the appliance or equipment costs more than \$600. DHS also requires prior authorization for the purchase of some appliances or equipment that cost less than \$600. Because this equipment will almost always cost more than \$600, prior authorization should be assumed.