

THE COPA CONNECTION

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PRESIDENT'S MESSAGE RICK CHAVEZ, CPO

Prosthetic and Orthotic Colleagues:

We are certainly in troubling times as Californian faces a \$15.2 billion dollar deficit for the 2008-2009 fiscal year and state politicians dispute whether the shortfall should be compensated by raising taxes, cutting services, or a combination of both. As many of you know, a 10% Medi-Cal cut was approved during the '07-'08 fiscal year, but had a delayed implementation until the '08-'09 fiscal year, which went into effect this week, July 1, 2008. Fortunately, there is some hope from a passed draft of the '08-'09 fiscal budget as it proposes that 5% of the 10% cut be restored. Therefore, if the '08-'09 fiscal budget is approved with the restoration of Medi-Cal cuts by 5%, Medi-Cal will only be cut by 5%. Nevertheless, finding optimism in a situation that is still full of despair only helps to intensify the importance of being a COPA member.

COPA is proud that, as part of

the Alliance for Patient Care (APC), Medi-Cal rates have at least been proposed to be diminished at a lower rate and the impact on California providers and patients of orthotics and prosthetics will be less significant. At times like these, it is important to recognize that by being a member of COPA, you help to protect your profession as your dues support COPA's legislative and regulatory advocacy programs as well as our political action initiatives.

During this month of July, you will be receiving COPA membership renewals and I encourage you to renew your membership so that COPA can remain a reputable force in Sacramento.

For those of you that are not COPA members, I encourage you to "step up to the plate" and take this opportunity to stand among your colleagues and aid the profession from being subject to the atrocities of state cuts that inevitably not only hurt our practice, but our patients. Join COPA by



Rick Chavez, CPO

simply visiting our website: <http://www.oandp.com/copa>, and selecting "membership" on the right navigational screen. You will also find a membership application in this issue.

Thank you for rising to the challenge and for your continued support to COPA.

Best Wishes,
Rick Chavez, CPO

UNDER THE DOME

BRYCE W.A. DOCHERTY, EXECUTIVE DIRECTOR/LOBBYIST



GRASSROOTS 101

It is difficult to determine which form of communication (i.e. letter, phone, email or personal meeting) most effectively influences a legislator's point of view. However, a personal visit from constituents

is arguably the most effective. Meeting in the district office can be beneficial because legislators are usually more relaxed when they are home on weekends or during recesses. **Continued on page 2**

BOARD MEMBERS

[Rick Chavez, CPO](#)
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Vice President

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[Tom Beall, CPO](#)
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[Bryce W.A. Docherty](#)
*Executive Director/
Lobbyist*

[Philip B. Swanger](#)
*Marketing and Public Policy
Coordinator*

UNDER THE DOME, CONTINUED

These sorts of “back home” events work best when they are not geared to specific legislation but are billed as “meet-and-greets” or “getting-reacquainted” sessions. It is important to foster long-term relationships based on broad mutual interests and understanding. Not every meeting should involve pressure to vote or act a certain way. Nothing is more effective in building a relationship with legislators than creating opportunities for them to interact with their constituents.

Perhaps the most important thing you need to know when meeting with a legislator is your subject. What is the substance of the legislation and/or regulation? Why is it important? What will happen if it passes? What will be the

consequences if it fails? How much will it cost? Most important, what will be the impact of the legislation and/or regulation on the legislator’s constituents? It is helpful to give an illustration or two of how the problem will affect the legislator’s district.

It helps to be prepared and to know a little about the legislator you are meeting and/or lobbying. On which committees does he/she serve? What are his/her pet issues? How has he/she voted on similar legislation in the past? However, do not let a lack of detailed knowledge about a legislator stand in your way. Legislators pay attention to well-presented positions by constituents, regardless of their knowledge of personal details.

Remember to acknowledge the arguments of your opposition and be prepared to explain why your position is better. Provide information both orally and in the form of a fact sheet or handouts that you can leave with the legislator. Be certain that it includes a brief description of your issue, why it is important, and the action that you want the legislator to take. Most importantly, please remember to contact COPA to brief staff on the overall feedback from the visit.

If you miss a day “Under the Dome” – you miss a lot!

Contact:
bryce@thedochertygroup.com
or (916) 446-4343

CMS RELEASES NEW EDUCATIONAL MATERIALS FOR DMEPOS

On June 2, [the Centers for Medicare and Medicaid Services \(CMS\)](#) released three tip sheets related to the Medicare Durable Medical Equipment, Prosthetics, Orthotics, Suppliers (DMEPOS) program:

- [For practitioners who are enrolled as a Medicare DMEPOS supplier >>](#) This tip sheet outlines exceptions for when a practitioner can provide certain competitive bidding items in the Round 1 areas to their patients without using a selected contract supplier;
- [On grandfathering current DMEPOS suppliers >>](#) This tip sheet explains which suppliers qualify to be grandfathered suppliers and their payment and billing rules; and
- [For DMEPOS referral agents >>](#) This tip sheet gives FAQs on how referral agents can assist beneficiaries.

On June 2, [the Medicare Learning Network](#) released [a new article](#) on payment changes in the Round 1 DMEPOS competitive bidding program. This article aims to assist suppliers who are making decisions on grandfathering. In particular, this article details the requirements of grandfathering, the notice to beneficiaries, and the exemptions for rented equipment.

COPA HOSTS ITS ANNUAL MEETING; ELECTS OFFICERS

On Tuesday, June 24, 2008, COPA hosted its Annual Meeting and elected officers and board members. All COPA Board members terms last for 2-years. Congratulations to the following elected members:

- Rick Chavez
- Ralph Nobbe
- Robert Jensen
- Mark Conry
- Tom Beall



AOPA in Advance

Breaking News for O&P Professionals

O&P Pulls Together on Medicare Fee Cut Threat

The four members of the O&P Alliance (**AOPA**, working together with NAAOP, AAOP and ABC) plus the Amputee Coalition of America rallied members to contact their senators and representatives in an all out effort to make sure no mistakes occur in how Congress spells out who pays for the delay in implementing competitive bidding for Durable Medical Equipment (DME). Senator Grassley (R-IA), ranking member of the Senate Finance Committee, introduced legislation that recommended spreading the cost of the delay over all of DEMPOS, instead of just DME providers.

Fortunately, just a few days later, Rep. Stark (D-CA), ranking member of the Ways and Means Committee, introduced legislation limiting the "pay for" to just DME. The current thinking is that the Senate is likely to bow to the House on this issue and for the time being, O&P may be safe from a possible fee cut.

But things change quickly in Washington and if the fee cut threat comes back, **AOPA** will issue necessary Member Alerts to once again enlist members to contact the key legislators along with their own Senate and House members.

Questions? Contact Steven Rybicki at srybicki@AOPAnet.org or (571) 431-0835.

Reminder: New Knee Orthoses Effective July 1, 2008

In less than one week the new Knee Orthosis Policy will take effect. Make sure you are ready, so that your claims will not be rejected. Here are a few highlights of this extensive new policy:

1. Establishes the following useful lifetime criteria for knee orthoses:
 - a. One year: L1800, L1810, L1815, L1820, L1825, L1830
 - b. Two Years: L1831, L1832, L1847, L1850
 - c. Three Years: L1836, L1843, L1845
2. Requires the use of the "KX" modifier on claims for knee orthoses when required coverage criteria have been met.
3. Establishes a requirement that products billed as L1845 must be approved by SADMERC through a written coding verification. To view the approved list of devices for L1845, go to <http://www3.palmettogba.com/dmecs/do/search;jsessionid=7C7486997CD31D65583E1D73DA08697A>. Under the "Search DMEPOS Product Classification List" section of the website, put in the HCPCS code L1845 and search. This will bring up all approved devices.

But these are only a few of the provisions in this new policy, which will go into effect on July 1, 2008. In order to make sure you are in compliance, **you must review the entire policy** ([click here to download](#)). A complete copy of the LCD and Policy Article may also be found on your local DME MAC website.

Questions? Contact Joe McTernan at jmcternan@AOPAnet.org or (571) 431-0811.

The above articles appears through the courtesy of the American Orthotic and Prosthetic Association (AOPA), where it appeared recently in their publication "AOPA-in-Advance."



AMP SURF PRESENTS

Association of Amputee Surfer's will host a series of weekend surf clinics for amputees and those with Disabilities wanting to learn to surf.

These events are FREE to all with disabilities*.

- July 12 & 13 – Santa Cruz Steamers 7:30 AM– Noon
- August 16 & 17 – Pismo - Sea Venture 7:30 AM– Noon (In conjunction with Operation Restoration III August 14 – August 20)

*Donations are accepted

If you want to participate, or volunteer

Go to www.ampsurf.com

We need your help! Please go to www.ampsurf.com and learn how to volunteer or help sponsor these events.

MEMBERSHIP APPLICATION

CORPORATE MEMBERSHIP CATEGORIES: \$1,200 Annual Dues (please check applicable category)

- Corporate – Patient Care:** Any firm or corporation that is principally engaged in the business of providing O&P direct services is eligible for this membership category.
- Corporate – Supplier:** Any firm or corporation that is principally engaged in supplying O&P businesses is eligible for this membership category.
- Corporate – Allied Health:** Any organization, firm or corporation that is engaged in the allied health field that serves O&P clients and businesses is eligible for this membership category.
- Corporate – Associate:** Any organization that represents consumers of orthotic and prosthetic care or other professionals who may also provide services to orthotic and prosthetic consumers is eligible for this membership category.

INDIVIDUAL MEMBERSHIP CATEGORIES: \$120 Annual Dues (please check applicable category)

- Individual – Certified:** Any practitioner who is currently certified and in good standing with the American Board for Certification in Orthotics and Prosthetics (A.B.C.) and/or the Board for Orthotist/Prosthetist Certification (B.O.C.) is eligible for this membership category.
- Individual – Technician/Fitter:** Any technician currently registered with the A.B.C. or any fitter certified by the B.O.C. is eligible for this membership category.
- Individual – Associate:** Any person with a professional interest in orthotics and prosthetics is eligible for this membership category.

(Name, Company)

(Address, City, State, Zip)

(Phone, Fax, Email)

NOTE: Please check here if you decline to have 25% of your annual dues dedicated to the COPA Political Action Committee.

Please make checks payable to: **COPA**

Share this membership application with your colleagues so they can become a member of the premier orthotics and prosthetics association in California.

[View Membership Application Online!](#)

[Membership Registration Online!](#)

POLITICAL ACTION CONTRIBUTIONS

COPA POLITICAL ACTION COMMITTEE *CORPORATE* CONTRIBUTION FORM

President's Club (\$2,500-\$6,000): These prestigious members include manufacturers, patient care businesses and individuals who want to be constant and consistent actors in the issues surrounding the O&P industry. In addition to receiving all of the benefits provided to Leadership Board and Golden State Club members also receive a specially designed President's Club lapel pin; complimentary admission to all COPA events and Complimentary admission for one guest to attend a President's Club event. In addition, President's Club members may be included in "invitation only" receptions and functions with legislators whenever possible.

Leadership Board (\$1,000-\$2,499): These members receive a specially designed Leadership Board lapel pin; invitations to legislative briefings and receptions featuring key legislators who are active in healthcare policy and special recognition throughout the year at events and in COPA publications.

Golden State Club (\$500-\$999): These members receive a specially designed Golden State Club lapel pin and special recognition throughout the year.

STATE LAW REQUIRES THE FOLLOWING:

(Name, Company)

(Employer or Occupation)

(Address, City State, Zip, Phone)

COPA POLITICAL ACTION COMMITTEE *INDIVIDUAL* CONTRIBUTION FORM

Silver Dollar Club (\$365 One Dollar per Day): These prestigious members receive a specially designed Silver Dollar Club lapel pin and special recognition throughout the year.

Future Framers Club (\$25): These student members receive a Certificate of Appreciation for their contribution and education and training about effective advocacy and professional communication with legislators.

(Name)

(Employer or Occupation)

(Address, City State, Zip, Phone)

NOTE: COPA PAC contributions are NOT deductible as charitable contributions for federal income tax purposes. Contributions may not exceed \$6,000 in one calendar year.

Please make checks payable to: **COPA PAC (ID#791961)**

[COPA/PAC](#)
[Corporate Contribution](#)
[Pledge Form](#)

[COPA/PAC](#)
[Individual Contribution](#)
[Pledge Form](#)

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We're on the web!
[www.oandp.com/
copa](http://www.oandp.com/copa)

COPA'S MISSION...

To improve the business climate in California for orthotic and prosthetic companies by:

- o Striving for fair reimbursement from private and public payors;
- o Ensuring competent and ethical treatment of patients;
- o Educating the public about the unique skills and knowledge base of the Orthotist and Prosthetist and the contributions they make;
- o Emphasizing a high degree of professionalism, and;
- o Fostering fair and open competition.

A PLACE FOR EVERYONE AT COPA...

Strength is measured by numbers. COPA has galvanized support from the O&P business community by encouraging businesses of all sizes to join as corporate members. Today the organization is moving forward in representing the needs of the individual practitioner in all areas of career development, including educational seminars and a renewed commitment to licensure for California. In order to facilitate individual contributions to support COPA, new membership categories have been added to allow students, technicians and practitioners at all levels of the career path to join COPA and share in the march toward professional recognition in California.

STANDING ON SUCCESS...

COPA has a proven track record in legislation, association governance and membership responsiveness. Representing the field since 1970, COPA is an organization that has the resources to bring the community of O&P together as one voice to strengthen and solidify the unique characteristics that typify O&P professionals today. An Uncertain Future Without Your Support... For many years, the few have supported the many while all have prospered. The burden has now become too great and the pool of resources must be widened to ensure continued success.

The threats to the O&P community are real. This year alone, practitioners have been sanctioned by the Board of Pharmacy and the Physical Therapy Licensing Board. Individual lawsuits have been brought against practitioners who now stand in legal limbo with no statutory scope of practice.

Limited state resources to treat the poor and those injured on the job are being bargained away to those with stronger voices and wider support.

What will history say about your commitment to O&P?