

THE SOCIAL WELFARE ACT (EXCERPT)
Act 280 of 1939

400.108b Complex rehabilitation technology products and services; policies and rules.

Sec. 108b. The department shall establish focused policies and promulgate focused rules for complex rehabilitation technology products and services. The focused policies and rules must take into consideration the individually configured nature of complex rehabilitation technology and the broad range of services necessary to meet the unique medical and functional needs of an individual with complex medical needs by doing all of the following:

(a) Designating specific HCPCS billing codes for complex rehabilitation technology and any new codes in the future as appropriate.

(b) Establishing specific supplier standards for a company or entity that provides complex rehabilitation technology and restricting providing complex rehabilitation technology to only a qualified complex rehabilitation technology supplier or an individual, company, or entity approved by the department, but only if a qualified complex rehabilitative technology supplier is unavailable.

(c) Requiring a complex needs patient receiving a complex rehabilitation manual wheelchair, power wheelchair, or seating component to be evaluated by the following:

(i) A qualified health care professional.

(ii) A qualified complex rehabilitation technology professional. If a qualified complex rehabilitation professional is not available, the following apply:

(A) A qualified health care professional may perform the evaluation described under this subdivision and document the justification or medical necessity for the equipment and services being prescribed.

(B) A durable medical equipment supplier or individual approved by the department may deliver the equipment described under this subdivision under the direction of a qualified health care professional. Delivery of the equipment described under this subdivision must be coordinated with a qualified health care professional.

(d) Maintaining payment policies and rates for complex rehabilitation technology to ensure payment amounts are adequate to provide complex needs patients with access to those items. These policies and rates must take into account the significant resources, infrastructure, and staff needed to appropriately provide complex rehabilitation technology to meet the unique needs of a complex needs patient.

(e) Exempting the related complex rehabilitation technology HCPCS billing codes from inclusion in bidding, selective contracting, or similar initiative.

(f) Requiring that managed care Medicaid plans adopt the regulations and policies outlined in this act and include these regulations and policies in their contracts with qualified complex rehabilitation technology suppliers.

(g) Making other changes as needed to protect access to complex rehabilitation technology for complex needs patients.

History: Add. 2024, Act 103, Imd. Eff. July 23, 2024.

Popular name: Act 280