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19 May 2009

HCPCS Workgroup  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Mail Stop C5-08-27  
Baltimore, Maryland 21244

Emailed to: [HCPCS@cms.hhs.gov](mailto:HCPCS@cms.hhs.gov)

Dear Working Group Members:

I am writing with regard to **Agenda Item #8, Attachment #09.048 A-E** which will be discussed at the **Orthotics & Prosthetics Public Meeting to be held May 27, 2009**.

My name is Brenda Battat. I am the executive director of the Hearing Loss Association of America (HLAA). I have had a cochlear implant now for five years.

HLAA receives support from all three cochlear implant companies for activities such as our annual convention and Walk4Hearing. I am appearing here today because of our organization's interest in the proceedings that will impact our constituents. I did not receive any funding in support of my appearance here in front of the committee or to write the comments.

HLAA is a non-profit organization dedicated to educating the public about hearing loss through self-help resources, advocacy, and innovative programs. The mission of HLAA is to open the world of communication to people with hearing loss through information, education, advocacy and support. HLAA has a headquarters office in Bethesda, Maryland, 14 state organizations and 200 chapters nationwide. The majority of our members use hearing aids and many of them have progressive hearing loss and are potential cochlear implant candidates. Currently approximately 30% of our members use cochlear implants.

I am here on behalf of HLAA to urge the committee to change their HCPCS recommendations for **L7510** (Repair of prosthetic device, repair or replace minor parts for the battery holder, ear hook, and coil magnet) **and for L8615** (Headset/headpiece for use with cochlear implant device, replacement for the controller and coil cable). The



committee has declined a request that these specific parts be given their own code so that they can be replaced when they break individually. At present, there is a specific code only when the sound processor needs replacement. All other replacement parts must be submitted using a miscellaneous code that reimburses substantially less than the more expensive replacement parts.

Though initially a request was made for codes for all parts it would be a great improvement for consumers if at least codes be assigned for the most expensive parts. These are the processor controller that costs about \$1500 and the cable/coil that costs approximately \$250.

As with any electronic device a user can expect a certain amount of ongoing maintenance. HLAA members experience considerable expense for the ongoing maintenance of the cochlear implant external device including parts and accessories, batteries and therapy. Though the external device does not break frequently, when it does the repair can entail considerable expense. Fortunately the parts are covered under warranty for quite a long time. The issue is mostly for consumers with older models beyond the warranty period. They most likely cannot afford to upgrade or for whatever reason do not upgrade and therefore cannot take advantage of the subsequent new warranty period. If insurance is billing under the miscellaneous code, they will only reimburse about \$70 and the consumer would end up paying the balance.

When a part breaks and the implant is not functional the person is deaf until the part is replaced. Essentially the person can no longer function. It is a panic situation that has to be remedied as quickly as possible – replace the part and get the person back hearing again and able to carry on with everyday life.

My request today is to ask for a specific code to cover these two parts so that the burden of replacement and ongoing maintenance does not unduly fall on the individual Medicare beneficiary or privately insured person.

I thank CMS and the Working Group for your time and attention.

Sincerely,

A handwritten signature in black ink that reads "Brenda Battat". The signature is written in a cursive, flowing style.

Brenda Battat

Executive Director

Battat@hearingloss.org