



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 306
[2017 Senate Bill 381]

**Complex Rehabilitation
Technology**

2017 Wisconsin Act 306 requires the Department of Health Services (DHS) to create specific standards for supply and reimbursement of complex rehabilitation technology under the Medical Assistance (MA) program. The Act establishes complex rehabilitation technology as a benefit under the MA program, separate and distinct from the general durable medical equipment benefit.

Under the Act, “complex rehabilitation technology” means items classified as durable medical equipment under Medicare and individually configured for individuals to meet their specific and unique medical, physical, and functional needs and capacities for basic activities of daily living and instrumental activities of daily living identified as medically necessary. Under the Act, complex rehabilitation technology includes complex rehabilitation manual and power wheelchairs, adaptive seating and positioning items, and other specialized equipment such as standing frames and gait trainers, as well as options and accessories related to any of these items.

The Act requires DHS to promulgate rules and other policies for use of complex rehabilitation technology by recipients of MA. The rules must be submitted in proposed form to the Legislative Council’s Rules Clearinghouse no later than the first day of the 13th month beginning after the effective date of the proposed legislation. The rules must include certain provisions, including provisions that:

- Designate billing codes as complex rehabilitation technology. This may include creating new billing codes or modifying existing billing codes.
- Establish specific supplier standards for companies or entities that provide complex rehabilitation technology. Also, the rules must limit reimbursement only to those suppliers that are qualified complex rehabilitation technology suppliers, as defined in the Act.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.

- Create a screening requirement applicable to all MA recipients who need a manual wheelchair, power wheelchair, or other seating component. The screening must include an evaluation by each of the following:
 - A qualified health care professional, as defined in the Act, who does not have a financial relationship with a qualified complex rehabilitation technology supplier.
 - A qualified complex rehabilitation technology professional.
- Protect access to complex rehabilitation technology for complex needs patients. Also, the rules must establish and maintain payment rates for complex rehabilitation technology that are adequate to ensure complex needs patients have access to complex rehabilitation technology, taking into account certain criteria specified in the Act.
- Require managed care contracts entered into by DHS to ensure that DHS's rules and other policies for use of complex rehabilitation technology apply to managed care plans providing services to MA recipients.

Finally, the Act specifies that the MA benefit for complex rehabilitation technology does **not** include speech generating devices. The Act also provides that its provisions are not intended to affect coverage of speech generating devices under the MA program and adds a list of nine specific billing codes that are not intended to be affected.

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