

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S3-02-01
Baltimore, Maryland 21244-1850



Center for Clinical Standards and Quality

February 16, 2022

Peter C. Gay, MD
Chair, Technical Evaluation Panel (TEP)
Pulmonary, Critical Care, and Sleep Medicine
Mayo Clinic
Rochester, Minnesota

Robert L. Owens, MD
Co-Chair, TEP
Pulmonary, Critical Care, and Sleep Medicine
University of California San Diego
La Jolla, CA

Via email: pgay@mayo.edu and rowens@health.ucsd.edu

Dear Dr. Gay and Dr. Owens,

Thank you for submitting a National Coverage Determination (NCD) reconsideration request regarding coverage policies for the use of noninvasive home mechanical ventilators and respiratory assist devices for Medicare beneficiaries with chronic obstructive pulmonary disease (COPD), thoracic restrictive disorders, hypoventilation syndromes, obstructive sleep apnea, and central sleep apnea. We appreciate your interest in ensuring that Medicare beneficiaries receive appropriate care that improves health outcomes.

We reviewed the NCD reconsideration request and the request regarding chronic obstructive pulmonary disease meets the criteria of a complete and formal request. Please be advised that while we are accepting your request, we must postpone action on your request at this time due to our internal capacity restraints. As CMS indicated in the August 2013 Federal Register Notice, “In the event that we have a large volume of NCD requests for simultaneous review, we prioritize these requests based on the magnitude of the potential impact on the Medicare program and its beneficiaries and staffing resources.” The full text of the Federal Register Notice can be found at: <https://www.federalregister.gov/articles/2013/08/07/2013-19060/medicare-program-revised-process-for-making-national-coverage-determinations#h-23>.

This is not meant to minimize the importance of your request; it only reflects the limitations of our available resources. Your request will be considered in the future as we prioritize the

requests for NCDs. We will keep your letter and the information you provided on file and will contact you with any updates.

Regarding the topics of thoracic restrictive disorders, hypoventilation syndromes, obstructive sleep apnea, and central sleep apnea, we encourage you to work with local Medicare Administrative Contractors to consider changes to local coverage policies.

If you have any questions please contact Susan Miller, M.D. at Susan.Miller@cms.hhs.gov

Sincerely,

Tamara Syrek Jensen, JD
Director
Coverage and Analysis Group
Center for Clinical Standards and Quality