
Program Memorandum Intermediaries/Carriers

Department of Health & Human
Services (DHHS)
Center For Medicare &
Medicaid Services (CMS)

Transmittal AB-01-123

Date: SEPTEMBER 14, 2001

CHANGE REQUEST 1787

SUBJECT: Useful Lifetime Expectancy for Breast Prosthesis

Background

Federal regulations at 42 CFR 414.229(g) state that a reasonable useful lifetime of less than 5 years for prosthetic devices can be established through program instructions. Because of this rule, in the absence of program instructions, durable medical equipment regional carriers (DMERCs) have been allowed to determine the reasonable lifetime of breast prostheses but in no case could it be less than 5 years.

New Policy

After review of product information and in consultation with the DMERCs, we have determined that a period shorter than 5 years more accurately reflects the useful lifetime expectancy for a breast prosthesis. This program instruction lowers the useful lifetime expectancy for silicone breast prostheses to 2 years, the most common warranty period provided by manufacturers. For fabric, foam, or fiber filled breast prostheses, we are lowering the useful lifetime expectancy to 6 months. However, a breast prosthesis can be replaced at any time if it is lost, irreparably damaged (this does not include ordinary wear and tear), or if there is a change in the patient's medical condition necessitating a different type of item. If the patient's medical condition changes, this should be documented by the patient's physician submitting a new prescription which explains the need for a different type of breast prosthesis.

Under existing policy the Medicare program will pay for only one breast prosthesis per side. Medicare does not pay for different types of the same or similar item or for spare or back-up items. However, two prostheses, one per side, are allowed for those persons who have had bilateral mastectomies. Suppliers must use the RT and LT modifiers to delineate the side or sides being billed.

The DMERCs and intermediaries should publish this information in their next scheduled bulletin and on their Websites.

The effective date for this Program Memorandum (PM) is April 1, 2002.

The implementation date for this PM is April 1, 2002.

Any questions regarding these instructions should be directed to Hillory Wiggin at (410) 786-4484.

These instructions should be implemented within your current operating budget.

This PM may be discarded April 1, 2003.

CMS-Pub. 60AB