

OAA LEGISLATIVE UPDATE – SURETY BONDS

DMEPOS Surety Bond and Accreditation Requirement for Medicare Billing Privileges

Per final regulations implemented by CMS, DMEPOS suppliers will be required to become **accredited** to obtain and maintain Medicare billing privileges by October 1st of this year, others may be required to post a **surety bond** by October 2nd to secure Medicare billing privileges and most will be required to provide both. Then there is the group of supplier types exempt from both the surety bond and/or the accreditation requirement.

ACCREDITATION EXEMPTIONS (Please note Opticians)

Suppliers providing drugs and pharmaceuticals *ONLY*

Physicians (including Dentists)
Audiologists
Optometrists
Orthotists
Prosthetists (including Ocularists)
Opticians
Occupational Therapists
Physical Therapists

SURETY BOND EXEMPTIONS (Opticians not listed yet)

Government-operated DMEPOS

State-licensed orthotic and prosthetic personnel in private practice making custom- made orthotics and prosthetics

Physicians and non-physician practitioners, as defined in section 1842(b)(18) of the Social Security Act

Physical and occupational therapists in private practice

**Due to ambiguity in the regulations regarding a Surety Bond exemption for independent opticians, Frank Whelan, the CMS agency administrator for the new requirements informed OAA's legislative director Kris Pickford that CMS is addressing this issue and will notify OAA when a concise decision has been made. As soon as a decision is made, we will post an update for our members. If a surety bond is required, we will make available information detailing the intricacies on how and what kind of bond to obtain for your practice.*

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