

C'omplex Rehabilitation Technology & Wheelchair Repair Advisory Council
MEETING MINUTES

Tuesday, August 20, 2024

11:00 AM in Room 1B of the LOB and Zoom and YouTube Live

I. Convene Meeting

The meeting was called to order at 11 AM by Co-Chairman, Jonathan Slifka.

II. Roll Call:

Members: Jonathan Slifka, Co-Chair, Maureen Amirault, Michelle Johnson, Sheldon Toubman, David Morgana, Diane Racicot, Farrah Garland, Darrell Ruopp, Joseph Shortt, Ginny Mahoney, Adam Prizio, Shirley Skyers-Thomas

Absent: Jim Carson

Guests: Sen. Lesser, M. 09, Rep. Gilchrest, J. 18, Sen. Seminara, L. 08, Rep. Case, J. 63

III. Open Remarks

Human Services Committee Chairs & Ranking Members

Sen. Lesser, M. 09 thanked the Advisory Council members for providing the public who uses wheelchairs, with consumer protection and monitoring implementation of the law. He tasked the Council with informing the Human Services Committee if any additional bills need to be passed to beef up protections for consumers.

Rep. Gilchrest, J. 18 is optimistic about the work the Council will accomplish moving forward, the Task Force began to address the issue but was not fixed. She stated that the Human Services Committee is available as a resource for research and outreach.

Sen. Seminara, L. 08 stated that the Council's work is just getting started, but progress has already been made.

Rep. Case, J. 63 reiterated that the Human Services Committee should be used as a resource. He stated that he hopes to help strengthen work between the legislators, Council, and wheelchair industry.

IV. Review of PA 24-58

Co-Chairman Slifka read PA 24-58 into the record for the purpose of the record of the Advisory Council.

V. Nomination of Co-Chairman

Co-Chairman Slifka opened the floor to nomination for Co-Chairman.

Farrah Garland nominated Maureen Amirault for the position of Co-Chairman of the Complex Rehabilitation Technology & Wheelchair Repair Advisory Council on the grounds that Ms. Amirault has shown leadership skills including, kind and concise communication, attention to detail, gentle but firm dedication to the task at hand. Also, she brings a lived experience to the table.

Michelle Johnson seconds the nomination.

Mr. Slifka called for any other nominations. Hearing none, nominations were closed and a vote was called.

Council members voted by a voice vote. Vote was unanimous. The nomination is approved.

VI. Discussion

Mr. Slifka stated that a

- Report due in January of data received by the two wheelchair repair vendors.
- Action plan for 2025
- Data on the average transaction cycle time for 2019-2024 including:
- Initial consumer call to when the company returned the call.
- Length of time to schedule an evaluation then evaluation to submission of paperwork for parts and insurance.
- Time to spec parts needed to manufacturer for a quote
- Time for manufacturer to provide quote for submission to insurance
- Days required to provide prior authorization from insurance
- Time of insurance approval to ordering parts
- Time to receive parts
- Time taken to schedule repair

Mr. Slifka acknowledged that timing may have been impacted by COVID.

- What has the industry done to improve timelines since the Public Act was passed?
- What systems has the industry put in place to become compliant with PA 24-58?

Mr. Toubman stated that the statute requires an annual data report for much of the data set that Mr. Slifka suggested. Mr. Toubman, since July 1 has heard many stories of non-compliance, such as assessments taking place after the ten-day requirement for complete repair. He requested that reports be made on a more frequent basis showing how the industry is ramping up technical staff in order to become compliant with the statute. Mr. Toubman asked Ms. Racicot to respond on behalf of the industry if this request for regular reporting is feasible.

Ms. Racicot responded that the industry is already ramping up reporting to be compliant with the statute. Reports for July have been produced on a weekly basis and moving forward reports could be produced on a regular basis. Mr. Slifka asked Ms. Racicot if these reports could be disseminated to the council. She responded that the reports need to be formatted so that data from the two providers is consistent.

Mr. Toubman and Ms. Racicot discussed the repair timeline and requirements from Medicare. Mr. Toubman queried that Medicare does not require a prior authorization, but if the individual has Medicare Advantage a prior authorization is required. Ms. Racicot responded that Medicare requires a 12-month prescription to be on file for the prior authorization to be circumvented. Mr. Toubman then clarified the repair timeline stating, assessment and repair are counted in the ten days while preauthorization and parts delivery do not. Ms. Racicot responded with her interpretation of the statute that vendor needs to respond to the customer within one day, then has three days to assess the wheelchair, and ten days after that to make the repair. Mr. Toubman corrected her by restating that assessment and repair are counted in the ten days while preauthorization and parts delivery are not. Ms. Racicot then agreed to this interpretation of the statute.

Mr. Toubman inquired about what the industry was doing to educate their customers on the new law and filing complaints with the Office of the Healthcare Advocate? Ms. Racicot responded that the industry is informing their customers on the timeline for repairs. Any complaints that are received are logged, but the complainant is not notified that they can make a complaint to the Office of the Healthcare Advocate. Ms. Racicot stated that the industry is focused on becoming compliant and not on educating the public but will discuss additional education with Mr. Toubman.

Ms. Johnson stated that she has recently been informed that scooter users are being treated differently than wheelchair users. Mr. Slifka responded that he would look into whether scooters are considered complex rehabilitation technology. Ms. Racicot responded that scooters are not considered complex.

Mr. Slifka asked Ms. Racicot if she could present her report at the next meeting. Ms. Racicot responded that she would be able to report on if there was a change in date of repair, why that was either by customer request, short staffed, and if missed why. Per Council's request, she will also report on where the industry is at and what has been done to reach compliance. Also, data from both repair companies will be consolidated and presented uniformly to the Council.

Ms. Amirault informed the Council that a letter was received by National Seating and Mobility. Mr. Slifka stated that not all members of the Council were aware of this letter, asking to postpone discussion to next meeting and for the letter to be disseminated to all members of the Council.

VII. Next Meeting

Mr. Slifka scheduled the next Council meeting for Tuesday, September 24, 2024 at 11am via in person at the LOB room 1B or by Zoom. Moving forward the Council will meet the third Tuesday of the month from 11am-12:30pm with a hybrid option.

VIII. Adjournment

A motion was duly made and seconded to adjourn the meeting. The vote was unanimous, and the meeting was adjourned at 11:55am.

Next meeting: The Complex Rehabilitation Technology & Wheelchair Repair Advisory Council is adjourned until September 24, 2024 at 11am in Room 1B at LOB and on Zoom.

Chandra Persaud
Advisory Council Administrator

Sarah Makowicki
Minutes Prepared by