



**STATE OF WISCONSIN
Division of Hearings and Appeals**

In the Matter of

[REDACTED]
[REDACTED]
c/o [REDACTED]
[REDACTED]
[REDACTED]

DECISION

MPA/154745

PRELIMINARY RECITALS

Pursuant to a petition filed January 8, 2014, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03(1), to review a decision by the Division of Health Care Access and Accountability (DHCAA or Division) in regard to Medical Assistance (MA), a hearing was held on February 19, 2014, by telephone.

The issue for determination is whether the Department correctly denied a prior authorization request for *rental* of a semi-electric hospital bed with a mattress for the petitioner.

There appeared at that time the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
c/o [REDACTED]
[REDACTED]
[REDACTED]

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703

By written submission of: Mary Chucka, OTR
Division of Health Care Access and Accountability
1 West Wilson Street, Room 272
P.O. Box 309
Madison, WI 53707-0309

ADMINISTRATIVE LAW JUDGE:

Nancy J. Gagnon
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Marathon County.

2. On December 1, 2013, a prior authorization request (#...002) was submitted on the petitioner's behalf for *rental* of a semi-electric hospital bed with mattress, at a cost of "\$170/mo." That request was denied by the Division on December 17, 2013.
3. The Division's basis for denial was that the rental is not medically necessary. The Division does pay for a 60 day hospital bed rental without prior authorization; apparently the petitioner has already received a 60 day rental period. The Division asserts that prior authorization approval is needed for rental beyond the 60 days. If there is a long-term need for a hospital bed, the bed should be purchased rather than rented. Authorization is also needed if a hospital bed is to be purchased.
4. The petitioner, age 21, is not institutionalized. Her diagnoses include tachycardia, chronic low back pain, obesity (BMI 34.88), edema, depression, pseudoseizures, intermittent urinary leakage, conversion disorder, and Raynaud's Disease. Raynaud's Disease is a disorder is marked by brief episodes of vasospasm (narrowing of the blood vessels) which reduces blood flow to the fingers and toes. Attacks can be triggered by cold temperatures or stress, and cause the fingers or toes to become temporarily white or blue. See, <http://www.nhlbi.nih.gov/health/health-topics/topics/raynaud/> (viewed April 2014).
5. Currently, the petitioner ambulates with a walker as needed. She performs her own transfers. It is difficult for her to get in and out of a regular bed, apparently due to obesity, edema, and Raynaud's. The physician note submitted with the authorization does not indicate how long a hospital bed would be needed, but the provider's authorization request identified the needed duration as "lifetime."

DISCUSSION

In-home hospital beds can be covered by the MA program, subject to prior authorization requirements. Wis. Admin. Code §DHS 107.24(2)(c)4. In reviewing a prior authorization request for medical equipment, the Division must utilize the general criteria found in Wis. Admin. Code § DHS 107.02(3)(e). Those criteria include requirements that the requested equipment be a medical necessity. It is the provider's responsibility to justify the need for the equipment requested. Wis. Admin. Code § DHS 107.02(3)(d)6.

Although the Division has a policy conceding the need for a prescribed hospital bed for an initial 60 day period, it questioned the need for a hospital bed rental for the petitioner beyond that period. At hearing, the petitioner explained that she had used a hospital bed at home for over a year, until the provider took it back in early January 2014. The petitioner expects that she will need a hospital bed for a long period of time, so her preference is that such a bed be purchased, rather than rented. Thus, the requested rental is not appropriate.

To have the bed purchased, the petitioner will have to ask an equipment provider to submit a new prior authorization to the Division, requesting purchase of a hospital bed. That request will also probably need more complete information explaining why a hospital bed is needed. I am not deciding the purchase issue here. However, the petitioner should be aware that the submitted medical documentation does not corroborate the petitioner's claim that she has postural orthostatic tachycardia syndrome. That syndrome is described in the literature as follows:

Postural orthostatic tachycardia syndrome (POTS) is one of a group of disorders that have orthostatic intolerance (OI) as their primary symptom. OI describes a condition in which an excessively reduced volume of blood returns to the heart after an individual stands up from a lying down position. The primary symptom of OI is lightheadedness or fainting. In POTS, the lightheadedness or fainting is also accompanied by a rapid increase in heartbeat of more than 30 beats per minute, or a heart rate that exceeds 120 beats per minute, within 10 minutes of rising. ...

Therapies for POTS are targeted at relieving low blood volume or regulating circulatory problems that could be causing the disorder. No single treatment has been found to be effective for all. A number of drugs seem to be effective in the short term. ... There is some evidence that an exercise program can gradually improve orthostatic tolerance.

What is the prognosis?

POTS may follow a relapsing-remitting course, in which symptoms come and go, for years. In most cases (approximately 80 percent), an individual with POTS improves and becomes functional, although some residual symptoms are common.

See, http://www.ninds.nih.gov/disorders/postural_tachycardia_syndrome/postural_tachycardia_syndrome.htm (viewed April 2014). The petitioner relied heavily on her claim that she is plagued by POTS to explain why she needs a hospital bed. Without physician corroboration of a POTS diagnosis, the eventual reviewer of her authorization request may be skeptical of this diagnosis.

CONCLUSIONS OF LAW

1. The Division correctly denied a prior authorization request for rental of a hospital bed with mattress for use beyond the initial, permissible 60-day rental period.

THEREFORE, it is

ORDERED

That the petition is dismissed.

REQUEST FOR A REHEARING

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or at your local library or courthouse.

APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 1 West Wilson Street, Room 651, Madison, Wisconsin 53703, **and** on those identified in this decision as "PARTIES IN INTEREST" **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Madison,
Wisconsin, this 8th day of April, 2014

\sNancy J. Gagnon
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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The preceding decision was sent to the following parties on April 8, 2014.

Division of Health Care Access and Accountability