

September 23, 2016

Mr. Andy Slavitt
Acting Administrator
Centers for Medicare & Medicaid Services
Department of Health & Human Services
Hubert H. Humphrey Building
200 Independence Ave., S.W. Room 445-G
Washington, DC 20201

Re: Request for Extension of Prescriber Enrollment Implementation Date

On behalf of our over 159,000 members, we request that CMS once again reevaluate the enforcement date of the prescriber enrollment rule, which is currently scheduled to go into effect on February 1, 2017. We believe that proceeding with the current date would cause disruption to the effective treatment of our patients who are Medicare beneficiaries. The ADA is committed to the public's oral health, ethics, science and professional advancement, and to access to dental care for all Americans. ADA shares the concerns that CMS has expressed concerning dishonest providers and applauds CMS's goal to prevent fraud, waste and abuse.

As the rule stands today, all providers, including dentists, who write prescriptions to Medicare beneficiaries who have Part D coverage must be enrolled in (or opted-out of) Medicare Part B prior to February 1, 2017 in order for the prescription to be covered by the beneficiaries' Part D plans. The ADA is on record as opposing the application of such requirements to dentists, in part because, since Medicare covers very few dental items and services, many (perhaps most) dentists have little incentive to enroll in Medicare other than in connection with CMS program integrity initiatives in the proposed rule.

The ADA contends that CMS already has access to the information needed to maintain program integrity through the dentists' National Practitioner Identification (NPI) numbers and adverse event reporting maintained through the National Practitioner Data Bank (NPDB). Nevertheless, the ADA has been working to educate its members and the dental profession on the requirement to enroll or opt-out.

While creation of the form 855O was a step in the right direction to simplify the enrollment process, the ADA suggests CMS could expedite compliance in a manner consistent with the intent of the Affordable Care Act through the use of the information already in hand through the NPI and the NPDB. There is no need to require dentists to go through the enrollment process to ensure CMS has the information necessary to address fraud and abuse concerns. Alternatively, if dentists are required to enroll, CMS must correct the categories to allow that to happen. Dentists cannot be held to compliance if they cannot enroll.

We, again, request a postponement in the implementation of the rule so we can continue to work with CMS to solve the underlying barriers to enrollment by dentists and continue our outreach efforts.

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As a trusted source of information, the ADA is willing to work with CMS to engage our members and the dental profession as a whole. Please contact Dr. Frank Kyle in our Washington office at 202-789-5175 or kylef@ada.org with any questions.

Sincerely,

/s/

Carol Gomez Summerhays, D.D.S.
President

/s/

Kathleen T. O'Loughlin, D.M.D., M.P.H.
Executive Director