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DATE: June 11, 2025

SUBJECT: Update on Regulatory Affairs: Summary of AARC Comments Compared to CMS Final National Coverage Determination (NCD) for Home Noninvasive Positive Pressure Ventilation (NIPPV)

Background

The Centers for Medicare and Medicaid Services (CMS) has issued a final National Coverage Determination (NCD) for Noninvasive Positive Pressure Ventilation (NIPPV) in the home for the treatment of Chronic Respiratory Failure (CRF) due to Chronic Obstructive Pulmonary Disease (COPD). The AARC firm in Washington, DC, CRD worked with AARC to submit formal comments during the public comment period and participated in the NCD revision request.

Key Areas of Alignment Between AARC and CMS

Use of Arterial Blood Gas (ABG) for Coverage Qualification

AARC Position: Supported the use of $\text{PaCO}_2 \geq 52$ mm Hg as a clinically appropriate and evidence-based threshold.

CMS Decision: Adopted this criterion for coverage.

Status: Alignment

Elimination of Nocturnal Oximetry Requirement

AARC Position: Recommended removal of this outdated and burdensome requirement.

CMS Decision: Removed nocturnal oximetry as a condition for coverage.

Status: Alignment

Preferred Initial Therapy Device: BPAP with Backup Rate

AARC Position: Advocated for use of bi-level PAP with backup rate (e.g., BPAP-ST) as starting therapy.

CMS Decision: Recommends BPAP-ST and volume-assured pressure support devices.

Status: Alignment

Device Selection Based on Clinical Condition

AARC Position: Stressed importance of selecting equipment based on patient diagnosis and evidence.

CMS Decision: Agreed that selection should be condition-specific (e.g., COPD, thoracic restriction).

Status: Alignment

Key recommendations omitted

Lack of Second 90-Day Trial Period for Adherence

AARC Position: Requested an additional 90-day trial period for patients unable to meet adherence criteria in the initial window.

CMS Decision: Did not include a second trial period.

Status: Omission

Recognition of Respiratory Therapists in Policy Language

AARC Position: Highlighted the essential role of respiratory therapists in delivering and monitoring NIPPV therapy.

CMS Decision: The final NCD does not explicitly acknowledge the role of respiratory therapists.

Status: Omission

Conclusion and Next Steps

The AARC applauds CMS for a thoughtful and evidence-based revision to the NCD for home NIPPV. The policy will expand access and improve clinical outcomes for Medicare beneficiaries with CRF due to COPD. However, we will continue to advocate for:

- The inclusion of a second 90-day adherence trial period.
- Formal recognition of respiratory therapists in Medicare policy language.

AARC stands ready to collaborate with CMS and stakeholders to support implementation and address remaining gaps.