



Durable Medical Equipment

Medicaid Prescription Footwear and Stocking Benefit Update

In this Newsletter:

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Contact Details

1-800-343-9000
emednyalert@csc.com

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On December 9, 2013, Judge Charles J. Siragusa ruled that the limitations on medically necessary orthopedic footwear and compression stockings applied as a result of April 1, 2011 amendments to New York Soc. Serv. Law § 365-a(2)(g)(iii) and (iv) can no longer be applied in Medicaid coverage determinations. (Davis v. Shah, W.D.N.Y., 12-CV-6134)

Effective December 9, 2013, the Medicaid program is returning to medical necessity criteria applied prior to the April 1, 2011 State law amendments.

- The criteria for coverage of medically necessary prescription footwear, shoe modifications and additions is no longer limited to diabetics, children under the age of 21, or for use as part of a lower limb brace.
- The criteria for coverage of medically necessary compression and support stockings coverage is no longer limited to use during pregnancy or for treatment of open venous stasis ulcers.

For additional information please refer to the Provider Communication "**Medicaid Prescription Footwear and Stocking Benefit Update**" located in the DME manual at eMedNY.org.

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