Q: Are assessments for motorized wheelchairs still needed? I’m hearing from other facilities they are no longer required. I would appreciate a little more information about that as well.

A: The timeframe established with the Jackson v Maram lawsuit requiring assessments for wheelchairs has expired. The form, HFS 3867, was used during the span of the lawsuit timeframe and could have been completed by any one of several persons (not just the medical professional). It is no longer required.

However, power mobility devices (PMD) are now treated the same as other durable medical equipment (DME) for long term care residents. The facility must specify if it is ‘custom’ or ‘non-custom.’

- **Custom** – claims are submitted by the DME provider to the DME Unit for review and prior approval.
- **Non-custom** – responsibility of the facility and the cost is reported to HFS on the facility’s annual cost report. (HFS 1463)

It also needs to be pointed out that “custom” means the item is manufactured to fit an individual’s specific body. A piece of equipment for an obese individual or for someone who requires a positioning cushion are standard items and are not custom. HFS’s DME Unit uses criteria similar to Medicare’s when determining custom.