

Oppose Expansion of Competitive Bidding Program to Prescribed Ostomy and Urological Supplies

Issue Introduction

On June 30, 2025, the Centers for Medicare and Medicaid Services (CMS) released a Proposed Rule on Durable Medical Equipment Prosthetics Orthotics and Supplies (DMEPOS) and Home Health (CMS-1828-P) stating that CMS plans to redefine ostomy, urological (and tracheostomy supplies) as “medical equipment items” to justify inclusion in the expansion of the DMEPOS Competitive Bidding Program (CBP). This dangerous proposal exceeds CMS’s statutory authority and undermines Congress’ intent to not include these items in the CBP.

United Ostomy Associations of America, Inc. strongly opposes any proposal from CMS that would expand the Competitive Bidding Program (CBP) to include ostomy and urological medical supplies, which will limit access to the right products, disrupt healthcare professionals’ prescribed treatment plans, and threaten patient safety and outcomes. This proposal fails to recognize that ostomy and urological prosthetics are not one-size-fits-all products, and are not interchangeable. Not only would any savings be small, they might well be short-term and illusory, and would be made at the expense of service and access for beneficiaries.

Both ostomy and urological supplies restore the lost functions of waste storage and elimination. They are legally and clinically defined under the Social Security Act as prosthetics¹. Any attempt to reinterpret this distinction contradicts both the letter and the spirit of the law. For CMS to include ostomy and/or urological supplies in the competitive bidding program, Congress would have to pass a law adding legal authority for CMS to include these items in the program.

What are Ostomy and Urological Medical Prosthetic Supplies?

Ostomy medical supplies are life-restoring and used by individuals living with colorectal cancer, bladder cancer, Crohn’s disease, ulcerative colitis, birth defects, and other intestinal or urinary medical conditions. They are also necessary in cases of severe abdominal or pelvic trauma resulting from accidents or from injuries sustained during military service. People living with an ostomy have undergone surgery to remove their bladder or part of their bowel, which impairs their ability to store and eliminate bodily waste. They have a surgically-created opening (stoma) in their abdomen for the discharge of waste and a ‘pouching prosthetic system’ is continuously worn over the stoma to replace the lost functions of waste storage and elimination.

A pouching prosthetic system is self-applied, worn every day and removed from and replaced on the skin on a frequent basis. People must use ostomy pouches on a daily basis and often for the rest of their lives. Selection of the appropriate pouching prosthetic system addresses the specific needs of each patient and includes effluent type, skin characteristics and the contours/tone of the abdomen. Other factors include stoma size, activity level and lifestyle. Patients cannot interchange prescribed products without medical consequences.

Urological medical supplies, such as catheters, are essential to address urinary incontinence, urinary retention problems from medical conditions, and surgeries that make catheterization a requirement in order to live and function.

Medicare covers ostomy and urological supplies under the Prosthetics Device benefit (LCD Ostomy Supply Policy A52487 and LCD Urological Policy A52521).

Why Congressional Oversight Is Needed To Protect Medicare Beneficiaries Who Use These Supplies

Ostomy and urological supplies should continue to be excluded from the Competitive Bidding Program for several reasons including:

- Prosthetics are not an appropriate product for the competitive bidding process. CMS does not have the legal authority under the Social Security Act (SSA) to redefine ostomy and urological supplies as “medical equipment items” or add these new product categories to the CBP that Congress has not authorized.

- These supplies are highly individualized and prescribed by medical professionals to address a Medicare beneficiary's tailored medical needs, not a one-size-fits-all, off-the-shelf, or over-the-counter generic product. These intimate and personal products are designed to be placed inside the body or play a critical role in how the body functions.
- Ostomy products are not easily interchangeable. Every individual's ostomy needs are different. Stoma type, skin condition, body shape, and lifestyle must be taken into consideration. It is essential that each person be able to access the products that are compatible with their unique needs. Lack of access to such products is likely to lead to costs that would far outweigh any potential savings.
- Changes to an individual's prescribed pouching system for non-medical reasons – such as restricted access to products - can lead to medical consequences such as severe skin damage, life-threatening infection and illness which can be difficult to heal, resulting in hospitalization and increased health care costs.
- These products require a health care professional's ongoing services for selection, fitting, training on use, adjustment, and to address health care conditions and clinical complexities that arise. Unlike other medical supplies that are currently in the competitive bidding program, ostomy supplies are not used with other durable medical equipment but rather function on their own, replacing a bodily function.
- Inclusion in the CBP would restrict patients to a limited number of suppliers leading to reduced access and lower quality products jeopardizing their ability to effectively manage their ostomy and/or urological needs..
- A 2004 evaluation and report by the U.S. Department of Health and Human Services² concluded that urological supplies were not well-suited for competitive bidding because there was insufficient potential for Medicare savings.

¹Title XVIII, §1861 (s)(8) of the Social Security Act defines prosthetics as those, which replace all or part of an internal body organ, including colostomy bags and supplies directly related to colostomy care, and replacement of such devices.

²Final Report to Congress: Evaluation of Medicare's Competitive Bidding Demonstration for Durable Medical Equipment, Prosthetics, Orthotics and supplies; 2004; Office of the Secretary, Department of Health and Human Services.