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January 10, 2006

BUD ALBRIGHT, STAFF DIRECTOR

The Honorable Mark B. McClellan, M.D., PhD.  
Administrator  
Centers for Medicare and Medicaid Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Dr. McClellan:

We appreciate the Centers for Medicare and Medicaid Services (CMS) important responsibility with respect to coding, coverage, and payment of healthcare technologies for Medicare beneficiaries. We write today about concerns regarding a set of recent 2006 coding decisions of the CMS Healthcare Common Procedure Coding System (HCPCS) Workgroup. In particular, we understand the HCPCS Workgroup has decided to classify a device and accessories manufactured by BlueSky Medical Group into an existing negative pressure wound therapy (NPWT) HCPCS code, which would also allow Medicare coverage of this product.

The medical community seems very enthusiastic about NPWT using the Vacuum Assisted Closure system because it has revolutionized the treatment of chronic and difficult-to-treat wounds. Concerns have been expressed, however, about the strength of the clinical data to support the BlueSky product's coverage. Given our understanding of the medical community's views, we want to ensure that, in this case, CMS thoroughly examined all aspects of this new product, including clinical effectiveness, patient safety in the home setting, and the appropriateness of its use by Medicare beneficiaries.

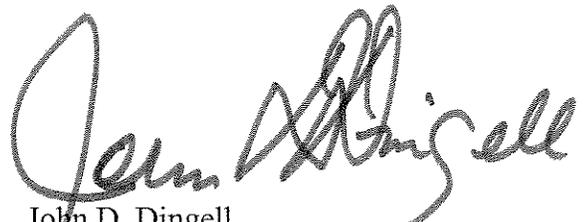
Please provide a written report to us setting forth the data and reasons supporting the CMS assessment of these issues and the appropriateness of its use by Medicare beneficiaries with respect to covering the BlueSky product under the NPWT HCPCS code. We would appreciate your written response by Friday, February 10, 2006.

Thank you for your attention to this important matter.

Sincerely,



Joe Barton  
Chairman



John D. Dingell  
Ranking Member