

**BECK'S HOME HEALTH CARE PRODUCTS, INC.**  
**BECK'S MEDICAL AND INDUSTRIAL GASES, INC.**  
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#2

March 5, 2007

CMS-R-131

CMS, Office of Strategic Operations and Regulatory Affairs  
Division of Regulations Development – C  
Attention: Bonnie L. Harkless  
Room C4-26-05  
7500 Security Blvd.  
Baltimore, Maryland 21244-1850

RE: Revised Advanced Beneficiary Notice

Dear Ms. Harkless:

In response to the offer to submit comments regarding the revised ABN, we would like to take this opportunity to share our observations. Our overall opinion is that this form will be overly confusing for Medicare beneficiaries. However, we do feel that the opening explanation to the beneficiary is well stated, as compared to the current language. Some of the observations we made are detailed as follows.

First, Section E does not allow sufficient area for detailing the reason why Medicare will likely not cover a particular item. The current general ABN has a significantly larger area for explaining this information to the beneficiary. This is particularly important for DME suppliers, since the coverage of equipment and supplies is based on lengthy and specific guidelines as set forth in the LCD's.

Second, we feel that the bulleted items below the item/service will be confusing to beneficiaries. The current version is stated in a way that is clear and concise. This version has too much bold text. We do, however, like the addition of the Medicare contact information.

Lastly, in Box G, there appears to only be a check box for Option 1. Also, Option 3 states that the beneficiary will be refunded if Medicare pays. It does not specify where the refund payment will come from. We do not refund a patient who signs an ABN, since the item(s) would be billed non-assigned. In this case, Medicare will make payment to the beneficiary, if the item is deemed to be covered. The revised ABN may be interpreted by the beneficiary to mean that we, the provider, will refund the payment made by the beneficiary, which is not the case.

Thank you for the opportunity to respond. We hope that our comments and suggestions will be helpful in determining the final ABN.

Sincerely,



Cari Randel  
Billing Specialist