

January 17, 2025

The Honorable Delegate C.T. Wilson
Chair, Economic Matters Committee
230 Taylor House Office Building
Annapolis, MD 21401

RE: Favorable with amendments– HB 0031 - Consumer Protection – Right to Repair – Powered Wheelchairs

Dear Chair Wilson:

United Spinal Association is submitting this written testimony for **HB 0031 - Consumer Protection – Right to Repair – Powered Wheelchairs**. The legislative language as written, this version of right to repair, is based on President Biden’s Executive Order on Promoting Competition in the American Economy – July 09, 2021, focusing on repair solutions in the agricultural and digital communication sectors which United Spinal does not support for personalized complex rehab technology solutions for people with disabilities and their respective medical and mobility needs. This model, by itself, is unfortunately not the complete solution within a complex landscape of stakeholders which includes wheelchair manufacturers and providers, Medicare, Medicaid and commercial payers, third-party wheelchair providers as well as clinicians and wheelchair users themselves and we urge that both the House and Senate bills include critical consumer protection provisions as highlighted below.

United Spinal Association, founded by paralyzed veterans in 1946 and, for over 75 years, has been dedicated to enhancing the quality of life of all people living with spinal cord injuries and disorders (SCI/D), paralysis, neurological conditions and other mobility disabilities, including veterans, and providing support and information to loved ones, care providers and professionals. United Spinal represents 5.5 million wheelchair users across the country, has close to 70,000 members, 46 chapters, 119 support groups and more than 100 rehabilitation facilities and hospital partners nationwide. We also work collaboratively with the Spinal Cord Injury Model Systems and the Model Systems Knowledge Translation Center that provide specialized services, support and research in the field of SCI. United Spinal Association is also a VA-accredited veterans service organization (VSO).

Among the solutions United Spinal is advocating for are:

- **guaranteed routine maintenance coverage (every six months)** through insurance (preventative maintenance); empowering wheelchair users to **self-repair certain items that are deemed safe**, (certain batteries for example) and that do not affect critical seating and positioning or electronics and cabling) with the wheelchair industry continuing to make educational tools available to facilitate, and provide assistance and information regarding parts available for sale;
- **temporary rental chairs (as customized as possible) to be available to owner for a limited time while the owner’s primary wheelchair is being repaired as quickly as possible** (chairs that are not fitted properly for the wheelchair user can lead to serious injury or death. We also support reimbursed wheelchair tech assistance for back-up wheelchairs (most recent previously-owned consumer wheelchair); and for providers to go to wheelchair user’s home if necessary;
- advocating for the **use of telehealth for practitioners such as physical therapists, physical therapy assistants, occupational therapists and occupational therapy assistants** would enable clinicians to assist wheelchair users virtually for those individuals who are not able to get to a clinic for a wheelchair evaluation appointment;
- **Wheelchair providers** must be accountable to **service the chairs they provide along with input from certified wheelchair technicians such as assistive technology professionals (ATPs) and seating and mobility specialists (SMS)**;
- **eliminate the prior authorization requirement for complex rehab technology repairs which can reduce the repair wait times by as much as a month**; and,
- **provide a clear and transparent pathway with customer support to review repair needs and timely follow-up.**

United Spinal is concerned that for the over 1.8 million Marylanders on Medicaid¹, this bill, without amendments, will unfortunately do little to address the continued frustrations with wheelchair repair and service for wheelchair users across Maryland and may continue to leave individuals on limited incomes high and dry with little to no recourse. United Spinal, along with our advocates across the country, is working in coalition with many other disability, advocacy, provider and clinician groups in advocating for commonsense bills with core consumer protections within public and commercial insurance for all wheelchair users.

We urge the Economic Matters Committee and the bill sponsor, Delegate Kaufman, to work together with all stakeholders, including the wheelchair industry, to achieve comprehensive service and repair reform. One additional note, I would like all to realize that with the very few wheelchair original equipment manufacturers and providers in existence across the country, especially those that are close to residents with on-the ground support, we want to ensure that these companies continue to serve those in dire need of critical medical equipment and support so that they can retain their independence in their communities.

Thank you for your consideration of these comments. Please do not hesitate to contact Alexandra Bennewith, Vice President, Government Relations at abennewith@unitedspinal.org.

Sincerely,

Alexandra Bennewith

Alexandra Bennewith, MPA
Vice President, Government Relations

Cc:

Del. Aaron Kaufman – HB0031 – Delegate Sponsor
Del. Tom Weber, Vice Chair, Economic Matters Committee
Delegate Membership, Economic Matters Committee
Sen. Cheryl C. Kagan, Vice Chair, Education, Energy, and the Environment Committee - SB0382 – Senate Sponsor
Sen. Brian J. Feldman, Chair, Education, Energy, and the Environment Committee
Senate Membership, Education, Energy, and the Environment Committee

¹ Kaiser Family Foundation, August 2024 <https://files.kff.org/attachment/fact-sheet-medicaid-state-MD>