

SENIOR MEDICARE HEARING OFFICER
Two North Point
San Francisco, CA 94133



September 12, 1986

Phonic Ear, Inc.
250 Camino Alto
Mill Valley, CA 94941-1490

Attn: Anna C. Hofmann

RE: Kimberly D [redacted]
HIC: [redacted]
Fair Hearing Case Number: 85 113 330

Dear Ms. Hofmann:

Ms. De [redacted] has requested a reconsideration of the Fair Hearing decision dated August 21, 1985. I have carefully rereviewed the facts in the file and have determined that the VOIS140 should be covered by Medicare Part B. It is not a "personal comfort item," it is required by the beneficiary as a prosthesis that, in fact, replaces a function of the body, "enabling her....understood," does meet the requirements of Durable Medical Equipment and is not specifically excluded.

The carrier has been instructed to process an additional allowance of \$1,826.10 payable at 80% (\$1,460.88) to Phonic Ear Inc. (the \$1,826.10 is the billed amount of \$2,007.00 minus the February 28, 1985 allowance of \$180.90).

This decision is rendered under the Supplementary Medical Insurance Benefit Provisions of Title XVIII of the Social Security Act. It applies therefore only to the services and circumstances considered on the claim in question in this hearing decision only and does not create a precedent for any other Medicare claims or services.

You may contact me at the above address if you have questions or concerns. Please allow 45 days from the date you receive this letter for the check and Explanation of Medicare Benefits.

Sincerely,


MARGARET E. CARPENTER
Senior Medicare Hearing Officer

MEC:jf/8

cc: Blue Shield of California
Kimberly D. [redacted]