



Veterans for Common Sense
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(2026-28)**

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Administrator

Centers for Medicare & Medicaid Services (CMS)

U.S. Department of Health and Human Services

CMS-1850-P

P.O. Box 8010

Baltimore, MD 21244-8010

RE: Calendar Year (CY) 2027 Medicare Hospital Outpatient Prospective Payment System (OPPS) and the Medicare Ambulatory Surgical Center (ASC) Payment System Proposed Rule (CMS-1850-P)

Dear Administrator Oz:

On behalf of Veterans for Common Sense, thank you for the opportunity to comment on the CY 2027 Medicare Hospital Outpatient Prospective Payment System (OPPS) and the Medicare Ambulatory Surgical Center (ASC) Payment System Proposed Rule (the "Proposed Rule").ⁱ Veterans for Common Sense is a nonpartisan non-profit organization founded in 2002 by U.S. war veterans who honorably served our nation. Our focus is on U.S. military, foreign affairs, and veterans affairs policymaking, including analyses, information-providing, and, on occasion, weighing in on policymaking that affects current or former military service members.

We are writing specifically about CMS's proposal to deny pass-through status for the Altius[®] Direct Electrical Nerve Stimulation System (the "Altius System"). We urge CMS to reconsider its preliminary decision and to grant pass-through status for the Altius System. The Altius System is a groundbreaking U.S. Food and Drug Administration (FDA)-approved device that received breakthrough designation for the treatment of chronic post-amputation pain.

As an organization representing our veteran community, we know and have seen in our fellow veterans the profound impact of chronic post-amputation pain who have lost limbs related to their service to our country. And of the 2.0 million individuals who suffer from limb loss, 1.6 million suffer from chronic post-amputation pain.ⁱⁱ The Government Accountability Office (GAO) has estimated that this number is expected to almost double by 2050,ⁱⁱⁱ driven by an aging population and increasing rates of vascular disease, making those 65 and older at the greatest risk of having amputation surgery.

While the veteran community primarily relies on the Department of Veterans Affairs (VA) for their healthcare services, roughly 5.9 million veterans are dually enrolled, receiving care from both the VA and Medicare.^{iv} Both senior veterans and younger veterans with qualifying disability may have the option to avail themselves of Medicare as it provides a critical backstop for meeting all of a veteran's healthcare needs.

When our veterans face debilitating and chronic post-amputation pain, they often turn to opioids and other therapies to try to manage their pain. As we know, opioids, in particular, are highly-addictive and provide only a short-term solution. Ongoing use can result in unintended overdoses or death. They also have the unintended consequence of driving up Medicare costs due to increased hospitalizations and treatments associated with opioid abuse. In fact, one 2023 study found that comorbidities associated with beneficiaries with opioid use disorders cost the Medicare program \$4.7 billion.^v

The Altius System provides a clinically evidence-based solution for this underserved population. And, unlike any other therapy or neurostimulator, the Altius System has several unique features, such as:

- Newness: The Altius System has a cuff electrode that wraps entirely around the targeted nerve. No other neurostimulator lead is designed to be placed directly on a nerve, let alone to wrap around it.
- Newness: The Altius System generator provides a high frequency (5-10 kHz), high amplitude alternating current applied circumferentially to the target nerve to cause a nerve conduction block. The high-frequency alternative blocks the pain as compared to other neurostimulators that provide low frequency (10-125 Hz), low amplitude pulses applied near the target region that only cause paresthesia (*i.e.*, mild stimulation – no blockage).
- The Altius System is also the only technology clinically indicated for chronic post-amputation pain, improving patient outcomes.

As more veterans and Medicare beneficiaries experience lower limb amputations, it is critical they have access to the *only* available therapy to directly address their subsequent pain. We are deeply concerned that CMS's proposal to deny transitional pass-through payment status for the Altius System will disincentivize hospitals from providing this technology to Medicare beneficiaries, including veterans who do not use or opt not to use VA for their healthcare needs.

In my personal experience as a long-term inpatient and medical hold patient for over a year at the former Walter Reed Army Medical Center, I met and shared rooms with many amputees, getting to know them well. I came to know many more in the decades of advocacy since then, including in work with amputees at Walter Reed, most of them lower-limb amputees. In addition to the pain above and at the amputation "stump", the "ghost" pain experienced by so many of these amputees in the amputated missing limb was a horrible consequence for so many of them – a real physical pain that feels like it is coming from the missing body part.

Veterans for Common Sense also has an extensive history advocating for military servicemembers and veterans at risk of suicide. For those reading this letter, you may also be aware of the suicide epidemic that continues to grip these communities. Inadequate medical treatment is among the multiple causes. If even just one veteran's life can be saved by ensuring access to this unique pain-relieving system, we should ensure that is possible.

In closing, we strongly urge CMS to reconsider its decision, and to pay special attention to **the timeliness issue of expeditious patient access to this pain-relieving system** should this request not be approved. Lower-limb veteran amputees suffering from post-amputation pain are suffering as we write this. Timeliness is of the essence in access to this pain-relieving system rather than having to rely on opiates, the reliance upon which is fraught with other very serious issues.

Additionally, the country is again at war, and approval sends an important message to current servicemembers that this unique treatment is immediately available to them should they need it. Knowing there is a unique system available to treat this horrific outcome of amputation is highly encouraging – but knowing there is now risk in this unique system not being available to them due to an administrative decision is profoundly concerning.

The Altius System is not described by any existing device categories and CMS should grant pass-through status for the device. Without pass-through status, Medicare beneficiaries including veterans who have had lower limb amputation are at significant risk of not having or potentially losing access to one this device that can help them with chronic post-amputation pain.

Thank you in advance for your expedited attention to this important matter.

Anthony D. Hardie
National Chair and Director
VETERANS FOR COMMON SENSE

ⁱ 91 *Fed. Reg.* 41734 (July 7, 2026).

ⁱⁱ Caruso and Harrington 2024 Avalere Report. 2. Ziegler-Graham et al, 2008. 3. AHA. Non-Traumatic Lower Extremity Amputations by Congressional District Heat Map. 2018.

ⁱⁱⁱ U.S. Government Accountability Office, LIMB LOSS: Rehabilitation Services and Outcomes for Medicare Beneficiaries (Oct. 2024), *available at* <https://www.gao.gov/assets/gao-25-106406.pdf>.

^{iv} VA, CMS partner to identify and recover \$106M in duplicate billing, Press Release (July 22, 2025), *available at* <https://news.va.gov/press-room/va-cms-partner-to-identify-and-recover-106m-in-duplicate-billing/>.

^v Tami L. Mark, William J. Parish, Ellen M. Weber, Deborah G. Steinberg, Kristen Henretty, The cost of opioid use disorder-related conditions in Medicare, *Drug and Alcohol Dependence*, Volume 244, 2023, 109778, ISSN 0376-8716, *available at* <https://www.sciencedirect.com/science/article/pii/S0376871623000169>.