



## **DEPARTMENT OF HEALTH**

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### **NEW LAW REQUIRES DURABLE MEDICAL EQUIPMENT SUPPLIERS TO BECOME LICENSED IN 2017**

HONOLULU – People who depend on medical equipment for critical life-saving issues and day-to-day living needs can now be assured the suppliers of Durable Medical Equipment (DME) in Hawaii will be licensed by the state and responsive to customer inquiries and requests for services. A new law created under Act 137 requires all retailers and suppliers of Durable Medical Equipment (DME), who conduct business in Hawaii, to comply with new state licensing regulations beginning this year.

The Hawaii State Department of Health's (DOH) Office of Health Care Assurance began regulating businesses who sell or distribute DME on Jan. 1 to help patients get access to critical, life-sustaining medical supplies by setting statewide industry standards that ensure timely and responsive service.

DME licenses are awarded for three-year terms. Pharmacies licensed under Hawaii Revised Statutes, Chapter 461, are exempt from the new DME supplier requirements because they operate under their own state licensing standards, which permit pharmacies to provide, sell and distribute Durable Medical Equipment.

“These new state licensing requirements hold businesses accountable for providing timely service to their customers who depend on delivery, repairs, and servicing of their medical equipment for their quality of life,” said Keith Ridley, chief of the Office of Health Care Assurance. “All affected businesses are reminded to apply for licensing, and patients are urged to use only state licensed companies or licensed pharmacies to purchase their wheelchairs, walkers, prosthetics, and other Durable Medical Equipment.”

The program requires a high standard of service from DME suppliers who sell, dispense, deliver, or service durable medical equipment.

Durable medical equipment includes mobility assistive equipment (wheelchairs, walkers, power mobility devices), hospital beds, oxygen equipment, prosthetics, and other supplies that can stand repeated use for a medical purpose (illness or injury) and may be used in the home. Under the new law, specialty items, equipment, or services are exempt from state licensing requirements.

Licensed DME suppliers are required to prove compliance with all state and federal laws including business registration and tax identification. Suppliers will also be held responsible for providing timely and satisfactory services to Hawaii consumers and be available by phone during standard business hours in Hawaii to answer inquiries or resolve issues. If they are not immediately available, suppliers must have a system for accepting incoming phone inquiries and respond within one business day after an inquiry is received.

All state licensed suppliers must also maintain written procedures at each location for handling complaints and problems from all consumers, which includes a complaint file documenting the issues raised and their resolution. Licensed suppliers must notify consumers within two business days if the supplier cannot or will not provide the equipment, item, or service ordered. However, specialty equipment or items are exempt from this requirement.

To apply for a license, learn more about licensing requirements, or for a list of licensed DME suppliers in Hawaii, go to <http://health.hawaii.gov/ohca/dme/>.

The Office of Health Care Assurance (OHCA) performs all state licensing activities on healthcare facilities, agencies and organizations in Hawaii. This includes conducting on-site state licensing inspections and Medicare certification on behalf of the U.S. Centers for Medicare and Medicaid Services (CMS). The office conducts surveys and inspections statewide for all ambulatory surgical centers, home health agencies, hospitals, intermediate care facilities for individuals with intellectual disabilities, skilled nursing facilities, end-stage renal disease facilities, hospices, rehabilitation agencies, rural health clinics, clinical laboratories and portable x-ray facilities. The office posts inspection records online for public access at <http://health.hawaii.gov/ohca/inspection-reports/>. OHCA also administers the state's Medical Marijuana Dispensary Licensing Program, designed to ensure safe medical marijuana products are accessible for Hawaii's patients, while making patient safety and public safety its ultimate priorities.

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