

Submitted electronically to www.regulations.gov

March 30, 2026

Robert F. Kennedy, Jr.
Secretary, Department of Health and Human Services
Centers for Medicare & Medicaid Services
Department of Health and Human Services
Attention: CMS-6098-NC
P.O. Box 8013
Baltimore, MD 21244-8013

Re: Comments on CMS-6098-NC Request for Information (RFI) Related to Comprehensive Regulations to Uncover Suspicious Healthcare (CRUSH).

Dear Secretary Kennedy,

VGM & Associates, Inc. (VGM) appreciates the opportunity to submit comments on the Centers for Medicare and Medicaid Services' (CMS') Request for Information cited above. VGM is a nationwide member services organization representing DMEPOS suppliers, distributors, manufacturers and other industry stakeholders, all of whom play a crucial role in the health care continuum ensuring Medicare beneficiaries receive the products and services they need to remain in their homes.

VGM supports CMS's goal of strengthening program integrity and shares CMS's commitment to protecting Medicare beneficiaries and taxpayer dollars from fraud, waste, and abuse. DME suppliers already operate in a highly regulated environment and have a direct interest in ensuring that anti-fraud initiatives are precisely targeted, data driven, and operationally feasible, so that legitimate suppliers can continue to serve beneficiaries without unnecessary disruption.

Strengthen DME MAC Oversight Authority over New Providers

VGM supports CMS's continued use of risk-based enrollment screening, targeted payment suspensions, and data analytics to identify bad actors, particularly when applied to demonstrable risk indicators, such as abnormal billing patterns, identity anomalies, and beneficiary utilization outliers, as opposed to broad supplier-type classifications. VGM recommends CMS strengthen DME MAC oversight authority to monitor new supplier claim activity and implement audit strategies when necessary.

Improve Inspector Education Quality of Site Visits

Improperly conducted site inspections can result in wrongful revocations and denials. In addition to the appeals burden, DME MAC claims and overpayment functions experience increased workloads. VGM recommends that CMS develop a site inspector training program that must be completed by all employed and contracted inspectors prior to conducting site visits. This program would be deployed by both DMEPOS site inspection contractors to ensure continuity across both jurisdictions. In addition to a universal training program, inspectors should be required to complete annual refresher training.



CMS should review overturned deactivations and revocations on a quarterly basis to determine if additional training or other measures are needed to ensure standardized surveys across both jurisdictions.

Promote Electronic Orders

VGM supports CMS' use of electronic orders to improve integration between orders and medical records, communication between providers and suppliers, and to create a digital audit trail, further promoting interoperability in patient care and to reduce health disparities.

Improve Cross-Program Enforcement

VGM agrees that Medicare's program integrity is undermined and negatively impacts compliant companies when suppliers barred from Fee-for-Service (FFS) Medicare billing are allowed to continue to bill other government healthcare programs. VGM recommends that CMS revocation of a company's FFS enrollment should be applied across all government healthcare programs, including Medicare Advantage (MA) and Medicaid.

Improve Medicare Advantage (MA) Oversight

VGM recommends that CMS require that all providers be enrolled in Traditional FFS Medicare in order to participate in MA plans. MA Plans should utilize the same program integrity principles utilized in FFS Medicare, requiring providers and suppliers to enroll in PECOS. In doing so, MA plans, much like Medicaid, can be quickly notified of providers/suppliers that have been denied, revoked, or terminated in their enrollment so that potential FWA does not occur beyond FFS billing.

Currently, CMS provides a monthly revoked and denied provider list to all contractors via the Share Point Ensemble site to each State Medicaid Plan or Child Health Plan. This information should also be sent to MA plans and require that they also deny/revoke based on findings.

Mandatory Targeted Probe and Educate (TPE) for New Suppliers

VGM recommends that for every new supplier enrolled in Medicare FFS that receives a PTAN be moved to a mandatory TPE review process. If after three rounds of TPE, the supplier does not meet compliance per the DME MAC's medical review program, the DME MAC will refer the supplier to CMS for 100 percent prepay review and/or revocation.

Leverage Technology for 'real-time' Claims Reviews

VGM supports CMS' proposal to leverage technology to identify claims issues in real time. VGM recommends CMS engage industry stakeholders for insights on available technology solutions to have real time oversight on claims when submitted to a DME MAC. Through the use of artificial intelligence (AI), CMS can better "flag" potential abuse and deploy additional claims review resources where needed.



Expanding Prior Authorization

In addition to increased visibility on claims at the time of submission, VGM recommends that CMS expand the list of HCPCS codes subject to prior authorization to enable review of orders prior to delivery, claim submissions and payment. In line with the Final Rule effective January 1, 2026, exemptions should be granted to providers/suppliers whose claims meet compliance of at least 90 percent affirmation rates during a periodic assessment period.

Leverage Technology in Program Integrity Functions

VGM recommends that CMS leverage technology to identify and exempt providers and suppliers that meet compliance with pre- and post-payment reviews. Exempt suppliers would be limited to periodic assessments to ensure continued compliance. Non-exempt and newly enrolled suppliers would be held to higher levels of scrutiny in an effort to reduce improper payments.

VGM appreciates the opportunity to comment on the RFI and welcomes continued dialogue and to provide additional information. I may be reached at mike.isaacson@vgm.com.

Sincerely,



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