

October 31, 2011

Mr. John Fundingsource  
Centers for Medicare and Medicaid Services  
Office of the Regional Administrator  
JFK Federal Building, Suite 2325  
Boston, MA 02203-0003

Re: Letter of Medical Necessity for Emily Needshelp

DOB: 9-15-2006

Medicare Policy Number: 12345-543-21

Medicaid Policy Number: 54321-123-45

Primary Care Physician: Dr. Caring

Dear Mr. Fundingsource:

Emily Needshelp is a 5-year-old female with a diagnosis of profound seizure disorder. She was evaluated at the Concord Medical Clinic facility on July 4, 2011 in order to assess how to safely bathe Emily as she has outgrown all types of infant seats and has neither the cognitive or musculoskeletal control required to use most commercially available products. It was determined that a SnugSeat Manatee (size 1) bath seat would meet Emily's current and long-term needs for the next five years.

Emily has had countless seizures since birth, and each seizure causes significant motor, cognitive, speech, and neurologic delays. Following her more substantial seizures, Emily returns to a developmental stage equivalent to birth. Additionally, Emily does not have fully functional swallowing reflexes, which put her at risk of drowning should her positioning in the bath be unstable. Her swallow-reflex impairment means she receives nutrition and medication through a gastronomy tube in her stomach, and so hygiene and proper positioning in a bath need to be maintained to avoid complications with the tube. Emily does not have the head or trunk control to sit in a chair or a bath independently, and unpredictable muscle movements often cause her to slide forward out of a chair or down in a bathtub.

Emily is too tall for readily available off-the-shelf bath seats, and also these were found to be far too dangerous due to Emily's uncontrolled, unpredictable movements. Several specialty bath seats have been trialed, including the Wenzelite Otter Bathing System, the Children's Chaise Seat, and the SnugSeat Manatee 1. The Wenzelite and the Children's Chaise do not provide a pommel, which is essential to prevent leg adduction and for ease of perineal hygiene. The SnugSeat 1, however, met all requirements for Emily's hygiene and safety.

Since it is necessary that Emily have a bath seat to prevent endangering her life and to facilitate essential hygiene I am providing this letter of medical necessity.

The SnugSeat Manatee 1 standard package includes a nylon cover, head/lateral supports, and a waist/hip belt. Emily would also need the seat to be equipped with two accessories to the standard configuration: These accessories are a pommel and a torso belt to improve safety in the bath, so she will not slide or fall out of the seat. The SnugSeat Manatee 1 was selected because it satisfies the necessary safety and hygiene needs. The seat also provides caregiver support in enabling seat height to be adjusted between 5 and 16 and  $\frac{3}{4}$  inches so that Emily's mother can comfortably and safely bathe Emily in a

standard bathtub. The SnugSeat Manatee 1 is adjustable and will grow with Emily for the next five years. It is rated as having a maximum load capacity of 110 pounds and this fits 95 percent of all 10 year olds, according to the Centers for Disease Control and Prevention (CDC).

Should you have any questions regarding these recommendations, please do not hesitate to call me directly at (978) 645-3123. I look forward to hearing from you so we can accommodate Emily's needs in an expedient manner. I thank you, in advance, for your consideration.

Yours sincerely,

Diane Makovsky, OTS