

Medicare and DOT CPAP Compliance Rules

Medicare continues CPAP coverage if you use it at least 4 hours a night on 70% of nights in a 30-day stretch within the first 3 months and see a clinician between day 31 and 91; DOT examiners often apply a similar standard.

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CPAP only works if you use it, and payers check. Here is how the two most common sets of rules work.

Medicare's CPAP rules

Initial coverage: a 12-week trial is covered if you have:

- AHI or REI of **15 or more**, or
- AHI of **5–14** with excessive daytime sleepiness, impaired cognition, mood disorders or insomnia, or with hypertension, ischemic heart disease or a history of stroke.

Continued coverage requires both:

1. **Objective adherence:** at least **4 hours per night on 70% of nights** (21 of 30 consecutive nights) during any 30-day period within the first three months.
2. **A face-to-face re-evaluation between day 31 and day 91** where your clinician documents that symptoms improved and reviews the usage data.

Medicare typically rents the machine for 13 months before you own it, and covers replacement supplies on a schedule.

DOT and commercial drivers

The FMCSA has not issued a formal sleep apnea regulation. Certified medical examiners decide whether a driver is fit, and many refer drivers with risk factors (high BMI, large neck size, loud snoring, witnessed apneas) for testing. Drivers on CPAP are commonly asked to show:

- Usage of **4 or more hours on at least 70% of nights**
- A recent download covering the certification period
- Ongoing treatment documented by the prescribing clinician

Certification periods for drivers with treated OSA are often shorter, frequently one year.

Staying compliant

- Fix mask leaks and dryness early.
- Check your app each morning.

- Set reminders for the follow-up visit.
- Keep screenshots of your 30-day reports.

Frequently asked questions

What happens if I miss Medicare's 90-day compliance window?

Medicare generally requires a clinical re-evaluation and a repeat sleep study, often in a sleep lab, before it will cover the device again, followed by a new trial period.

Does the FMCSA have a formal sleep apnea rule for truck drivers?

No formal FMCSA sleep apnea regulation exists. Certified medical examiners use their judgment, and many follow advisory guidance that includes the 4-hour, 70% usage benchmark.

How do I prove compliance?

Modern CPAP machines record usage. Your supplier or clinician can download it, or you can export reports from apps such as myAir or SleepHQ.