

## Part B Insider (Multispecialty) Coding Alert

### CMS Could Save You From Exclusion From Medicare

A new proposal might play a big role in saving you from a harsh **HHS Office of Inspector General** ruling.

The **Centers for Medicare & Medicaid Services** published a proposed rule in the Aug. 4 Federal Register that allows the agency to ask the OIG to waive a Medicare program exclusion on behalf of a provider. CMS is seeking public comments until Oct. 3, 2005 to fill in many of the details in the proposed rule.

To benefit from CMS' mercy, you'd have to prove that your exclusion from Medicare would place a hardship on area beneficiaries for CMS to request the waiver, the agency says. And you'd have to submit a copy of the OIG's exclusion notice and a request that CMS present an exclusion waiver request to the OIG. You also would have to provide documentation that the you are the sole community physician or sole source of essential specialized services in the community.

CMS may contact your Quality Improvement Organization (QIO), private health insurers and others to validate facts and collect further information to support a hardship claim. You can read the proposed rule at <http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/pdf/05-15291.pdf>.