

Part B Insider (Multispecialty) Coding Alert

ICD-10: Congress Considers One-Year Delay to ICD-10

Plus: Bill would push back 24 percent cut.

Congress attempted to kill two birds with one stone this week, but whether its plan to bundle an ICD-10 delay in with a temporary Medicare payment fix will work remains to be seen.

Background: As most Part B practices are aware, the 24 percent pay cut that you were supposed to face on Jan. 1 was prevented, thanks to a Congressional vote earlier this year. However, that delay will expire on March 31, which means that without another government vote, your Medicare payments will be discounted by 24 percent starting next week.

Congress attempted to fix this issue on March 27 by introducing the Protecting Access to Medicare Act of 2014, which would halt the 24 percent pay cut for the rest of the year. However, the temporary "doc fix" isn't the only feature of the bill. It also included a controversial addition that caught the eye of almost everyone who has been working hard to prepare for ICD-10.

ICD-10 Delay Buried in Text

Mentioned about one-third of the way into the 121-page bill is a short paragraph that states, "The Secretary of Health and Human Services may not, prior to October 1, 2015, adopt ICD-10 code sets as the standard for code sets." This means that if the bill is approved, ICD-10 will be delayed for at least another year beyond the scheduled Oct. 1, 2014 implementation date.

Needless to say, professional organizations disagreed strongly with the bill. "AHIMA officials have said that another delay in ICD-10 will cost the industry money and wasted time implementing the new code set," the American Health Information Management Association said in a March 27 statement.

Even the American Medical Association—which has long advocated for an ICD-10 delay—urged Congress to vote "no" on the bill, although the AMA's opposition was more focused on the financial provisions. "Full repeal of the sustainable growth rate formula is the answer to strengthening the Medicare program, not another patch," AMA president **Ardis Dee Hoven** said in a March 26 statement.

As of press time, the House of Representatives had approved the bill and it was heading to the Senate, but even if it passes there, it is unclear whether President Obama would sign it, or if he would instead veto the bill.

Pay cut status: If the bill does not get approved and March 31 passes without Congressional intervention, the 24 percent pay cut will go into effect, but you may not see a bite taken out of your payments right away. "CMS is very hopeful that Congress will act and avert the negative update from taking effect," said CMS's **Louisa Rink** during a March 27 CMS Open Door Forum. "We have had this situation many times in the past. I would say it is likely that CMS will act as it has in the past, asking contractors to hold claims so that you are not negatively affected by processing claims in accordance with current laws, which would be the negative update," she said.

To read the complete text of the Protecting Access to Medicare Act of 2014, visit <http://docs.house.gov/billsthisweek/20140324/BILLS-113hrSGR-sus.pdf>.