

Part B Insider (Multispecialty) Coding Alert

PART B PAYMENT: CMS Revises 2010 Conversion Factor With New Communique

Meanwhile, the Senate is poised to vote on the proposed permanent fix to the Medicare payment structure.

If you thought the 2010 conversion factor of \$28.4061 was bad, the latest news is even worse. The \$28.4061 factor was printed by CMS in error, and the actual new conversion factor, effective Jan. 1 unless Congress intervenes, is lower than that.

CMS has posted a corrected 2010 Medicare Physician Fee Schedule on its Web site. "The conversion factor for CY 2010 is \$28.3895 instead of \$28.4061 as previously indicated in the final rule," indicates a notification from Part B MAC NHIC. "A correction notice will be published in the Federal Register."

In addition, the revised fee schedule includes corrections to the RVUs for codes G0341, 29870, 36481, 37183, 47382, 50200, 55873, 92610, 99221, 99222, 99223, 99304, 99305, and 99306.

Of course, the conversion factor could change dramatically if Congress votes to do so, as has happened in prior years. Or, Congress could vote to do away with the current Medicare pay structure entirely.

The good news: On Nov. 19, the House of Representatives passed H.R. 3961, the "Medicare Physician Payment Act of 2009," by a vote of 243-183. The bill would permanently repeal the sustainable growth rate (SGR) and replace it with a formula that physician groups feel more accurately reflects actual costs. The bill also would cancel 2010's scheduled 21 percent cut.

"This legislation will permanently improve the way Medicare pays physicians, and in doing so, guarantee that America's seniors will continue to have access to excellent care through Medicare," said House Speaker **Nancy Pelosi (D-Calif.)** in a Nov. 19 statement.

Up next: The bill goes to the Senate. Although the Senate has not announced when it will vote on the legislation, physician groups are hopeful that a vote could happen before the new year.

"The AMA urges the Senate to act quickly before the cut begins on January 1," said **J. James Rohack, MD**, president of the AMA, in a Nov. 19 statement. "Fixing the Medicare physician payment formula once and for all is an essential element of comprehensive health reform."