

## Part B Insider (Multispecialty) Coding Alert

### Physician Notes: Accountability Office Can't Count, Claims ASCO

#### But GAO insists cancer care won't suffer next year

Oncologists should be able to afford the new, reduced payments for medications that take effect in January, claims the **Government Accountability Office** in a new report ("Medicare Chemotherapy Drugs: New Drug And Administration Fees Are Closer To Providers' Costs," GAO-05-142R). The GAO studied 16 drugs commonly billed by oncologists and found that Medicare payments would be 22 percent above oncologists' costs in 2004 and 6 percent above their costs in 2005.

The **American Society for Clinical Oncology** responded that a survey of its members found that payments would be only 4 percent above members' costs in 2005. And ASCO criticized the GAO study for failing to account for the severe variations in the acquisition cost for drugs among different providers.

The GAO insists that even though Medicare practice expense payments will drop overall in 2005, they'll cover "nearly as much or more of oncologists' costs than will payments for all services to all specialties." But ASCO responds that other specialties reap more of their revenues from payments for the physician work RVUs than oncologists, and thus other specialties can more easily stand to lose on practice expense payments.

1. **Health and Human Services Secretary Tommy Thompson announced his resignation** Dec. 3. And the **Centers for Medicare & Medicaid Services** could be the next agency to see a vacancy.

CMS Administrator **Mark McClellan** is a top contender to take the helm at HHS. But losing its second administrator in less than a year could be a heavy drain on CMS, which has yet to complete implementation of the Medicare Modernization Act. Thompson will remain in office until Feb. 4, or until a new secretary is confirmed.

2. **The government's Physicians at Teaching Hospitals probe** just reeled in a \$2.2 million settlement with doctors from Seventh-Day Adventist affiliated **Loma Linda University**.

Prosecutors say 20 clinics allegedly claimed services directly performed by faculty members without enough evidence to prove that the doctors had been personally involved in performing the services. They also allegedly billed for a higher level of service than they performed.

3. **Carriers will no longer have an additional 15 days** to process a change of enrollment information, according to Transmittal 88, issued Nov. 26. CMS had given the carriers this extra time to allow them to create an enrollment record, but now carriers must process any request that's not an initial application within 45 days 90 percent of the time, and within 60 days 99 percent of the time.