

Part B Insider (Multispecialty) Coding Alert

Physician Notes: Congress Delays Trigger Bill, Staving off Potential Reductions in Medicare Spending

Plus: Only 10 percent of ALJ hearings take place in person, and medical practices seem to like it that way, OIG says

President Bush is zero-for-two this month in his quest to reduce Medicare spending.

Earlier in July, the president vetoed the Medicare Improvements for Patients and Providers Act (MIPPA), only to see his veto overridden by votes by the Senate and Congress. This week, Bush was again thwarted in his attempt to lower Medicare spending.

On July 25, the House of Representatives voted to delay Bush's Medicare trigger bill. Because Medicare has taken more than 45 percent of its funding from the government's "general revenue," President Bush is legally able to propose a way to cut Medicare spending. This would essentially allow the president to pull a "trigger" that allows him to reduce overall Medicare spending or increase beneficiaries' premiums.

The House vote ensures that the trigger bill will not take effect this year. Congress members note that the MIPPA legislation decreases Medicare spending so that the 45 percent threshold will not be met, which means that the trigger won't be necessary anyway.

HHS Secretary Mike Leavitt disagreed with the House action, noting, "Democrat House leadership is now actively seeking to silence the alarm bells and prevent any action to address Medicare's underlying solvency problems."

In other news ...

- **The next time you have a hearing before an administrative law judge (ALJ), you might be dealing with Ma Bell.**

A July 29 OIG report indicates that 78 percent of ALJ hearings during the 2005 to 2006 period took place over the phone, 12 percent by video teleconference and just 10 percent in person.

Most of the medical professionals who appealed to ALJs were satisfied with the telephone appeals process, so there's a good chance that the government will continue this method for future appeals.

To read the OIG report, visit <http://www.oig.hhs.gov/oei/reports/oei-02-06-00110.pdf>.