

Part B Insider (Multispecialty) Coding Alert

Physician Notes: Sell Free Samples, And You Could Be Sampling Prison Food

Cranston, RI physician **Wallace E. Gonsalves** admitted to regularly selling **Anthony Albanese**, owner of **Cameron's Pharmacy**, free prescription drug samples manufacturers had given to the doctor. Albanese included the samples in prescriptions sold at the store and billed health insurers, including Medicaid. Both defendants face prison terms and must pay the government and insurers \$431,410.

1. **The Centers for Medicare & Medicaid Services added two more drugs** to those covered under the Medicare Replacement Drug Demonstration program, aimed at patients with cancer, multiple sclerosis, rheumatoid arthritis and other serious diseases. The program provides savings of up to 90 percent for patients who wish to receive medications that can be administered at home instead of the physician's office.

The program added Somavert for treatment of acromegaly, and Mesnex tablets, which prevent some side effects in patients receiving some kinds of chemotherapy.
2. It can take over 30 days, and up to 50 days, to get a doctor's **appointment** in some cities, according to a new survey by physician search and consulting firm **Merritt, Hawkins & Associates**, based in Irving, TX. The telephone survey examined new patient appointment waits at over 1,000 doctors' offices in 15 major metropolitan areas. Boston has the longest waits for three specialties: 37 days to see a cardiologist, 45 days for an Ob/Gyn and 50 days for a dermatologist.
3. **CMS is launching a new Council on Technology and Innovation, made up of top CMS leaders** plus experts on clinical, coverage and payment issues to help speed up the coverage and payment of new medical technologies. The Council will help CMS develop better evidence about the safety, effectiveness and cost of new and approved technologies to help promote their more effective use. The Council will divide into two working groups. One group, focusing on Effective Innovation, will work to speed up the coverage, coding and payment process. The other group, focusing on Better Evidence, will help set priorities for Medicare-supported clinical research on treatments about which Medicare still has questions.
4. **Attending physicians can unionize, an Illinois district court ruled** in Cook County vs. Illinois Labor Relations Board (1-03-1622). **The Oak Forest Hospital** in Cook County, IL argued that attending physicians are managerial and supervisory employees under the Illinois Public Relations Act, and thus weren't eligible to participate in collective bargaining and vote for the Service Employees International Union as their representative. The physicians were mainly involved in "executive and managerial functions," the hospital argued. The Illinois Labor Relations Board disagreed, but the court agreed.