

Part B Insider (Multispecialty) Coding Alert

PHYSICIAN NOTES: Senate Stymied On Medicare Payment Fixes

Keep sending your cancer patients to federally approved clinical trials

Saving your Medicare payments from cuts of 15 percent over two years is an expensive proposition. The Senate may not have the political will for it, unless you keep up the pressure, say observers.

The latest: The **Senate Finance Committee** met Oct. 17 to discuss ways to pay for a fix to your 2008 and 2009 payment rates, says Congressional Quarterly. But the meeting couldn't come up with the \$20 billion in cuts needed to rescue physicians.

Democrats want to finance your pay hike by cutting payments to Medicare managed care plans, but Republicans insist that rural patients depend on Medicare HMOs. Other possible targets include home health agencies and oxygen providers.

And even if Congress comes up with the money, it might only pay for 2008, leaving you on the hook in 2009. -It's one or two [years], depending on how much we can raise to offset,- said Sen. **Deborah Stabenow** (D-MI).

Democratic leaders would like to mark up a Medicare bill by the end of October, but -they-re dreaming,- Sen. **Trent Lott** (R-MO) told the Quarterly.

Finance Committee chair **Max Baucus** (D-MT) also wants to include a provision which would overturn a recent Medicare coverage determination which limited payments for erythropoiesis-stimulating agents (ESAs) to fight nausea in chemotherapy patients. Overturning that decision would add another \$2 billion to the cost of the bill.

In other news:

- **Cancer patients will still have access to clinical trials** under Medicare, and the **American Society of Clinical Oncology** (ASCO) is celebrating. The **Centers for Medicare & Medicaid Services** decided not to go forward with a policy that would have restricted clinical trial coverage to trials that met 13 scientific and technical standards. Instead, Medicare will cover any trials that the federal government funds, plus trials that the **Food & Drug Administration** is reviewing.

- **The Medicare Part B premium** will be \$96.40 per month in 2008, up from \$93.50 in 2007. This is the smallest premium increase since 2001.

- **Chronic disease costs Americans** \$1.1 trillion in lost productivity every year, and \$277 billion in treatment costs, according to a new study from the **Milken Institute** called -An Unhealthy America: The Economic Burden of Chronic Disease.-

- **A \$21 million fraud scam** landed Houston physician **Jayshree Patel** a 78-month prison sentence, says the U.S. Attorney's office. Prosecutors say Patel received kickbacks from durable medical equipment companies. She and a colleague routinely approved wheelchairs for 30 to 80 patients a day without examining them or ordering tests. Patel allegedly certified 1,900 Medicare beneficiaries for motorized wheelchairs they didn't need.