

Part B Insider (Multispecialty) Coding Alert

REIMBURSEMENT: Brace Yourself For A Lean January--And Hassles In February

Even if your payments are restored retroactively, will you be able to collect?

So close, and yet so far.

The House and the Senate both passed budget packages for 2006 that would have given you a pay freeze for 2006, instead of the 4.4 percent cut that was scheduled. But the Senate made minor changes to the House's legislation, as part of a move by Democrats to protest Medicaid changes. That meant the House needed to pass the legislation again--and the House had already adjourned for the year.

The House isn't scheduled to come back until Jan. 31, so it won't be able to restore your payments until then, say Washington insiders.

Speaker of the House **Dennis Hastert** (R-IL) wrote to Democratic Leader **Nancy Pelosi** (D-CA) on Dec. 21 to ask her to allow the House to pass the budget via "unanimous consent," which would mean the legislation could take effect right away. "I don't think any of us wants to see a situation where some of our neediest Americans are denied care and help because of politics," he wrote.

Pelosi offered to let Hastert pass a bill rescuing you from the 4.4 percent cut via "unanimous consent," separate from the budget. But she wouldn't let the whole budget go through without giving House Democrats another chance to influence its steep cuts to Medicaid and other health programs. In the end, she and Hastert were unable to agree on a separate bill to rescue your payments.

That means you'll have at least a month during which you'll see much lower payments for all your Medicare services--absent the heavens opening and divine intervention coming into play," says Washington attorney **William Sarraille** with **Sidley Brown Austin & Wood**.

When Congress does get around to scrapping the 4.4 percent cut, Sarraille hopes legislators make the change retroactive. But since Congress is trying to save every penny, there's no guarantee the cuts you endure in January won't be permanent.

And even if Congress does make the change retroactive, you'll be faced with trying to collect that extra money. When these things have happened in the past, the **Centers for Medicare & Medicaid Services** hasn't told the carriers to calculate the extra reimbursement you're owed and send it to you, Sarraille notes.

Instead, CMS has typically told providers they can re-file their claims from the start of the year, and the carriers will pay them the extra amount. If that happens again, you'll have to spend a lot of money resubmitting claims just to receive an extra 4.4 percent. Many physicians may decide it's not worth the trouble, Sarraille says.