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Steve Phurrough, MD,
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Mail Stop C1-09-06
Centers for Medicare and Medicaid Services
7500 Security Blvd
Baltimore, MD 21244-1850

Request to Add ICD-9-CM code 790.4 to the NCD for Hepatitis Panel/Acute Hepatitis Panel (190.33)

Dear Dr. Phurrough,

CLMA (Clinical Laboratory Management Association) is requesting an NCD reconsideration regarding the addition of an ICD-9-CM code to the Hepatitis Panel/Acute Hepatitis Panel NCD.

CLMA believes that the ICD-9-CM code 790.4 - Nonspecific elevation of levels of transaminase or lactic acid dehydrogenase (LDH) flows from the narrative of this NCD in two areas.

The last paragraph of the section titled "Description" in the NCD states the following:

"This panel of tests is used for differential diagnosis in a patient with symptoms of liver disease or injury. When the time of exposure or the stage of the disease is not known, a patient with continued symptoms of liver disease despite a completely negative Hepatitis Panel may need a repeat panel approximately two weeks to two months later to exclude the possibility of hepatitis. Once a diagnosis is established, specific tests can be used to monitor the course of the disease (*emphasis added*)."

One of the symptoms of liver disease is elevated liver transaminase tests, e.g., CPT 84460 Transferase; alanine amino (ALT) (SGPT) and CPT 84450 Transferase; aspartate amino (AST) (SGOT). The requested ICD-9-CM code describes this circumstance, "Nonspecific elevation of levels of transaminase" and can trigger suspicion of hepatitis in a patient, resulting in an order for one or more of the covered tests in this NCD.

The second area of the narrative in this NCD is in the section titled "Indications". This section states the following in the first item:

"1. To detect viral hepatitis infection when there are abnormal liver function test results, with or without signs or symptoms of hepatitis (*emphasis added*)."

The AMA CPT Code book lists the following Organ and Disease Panel:

CPT 80076 Hepatic function panel: This panel must include the following: Albumin (82040) Bilirubin, total (82247) Bilirubin, direct (82248) Phosphatase, alkaline (84075) Protein, total (84155) Transferase, alanine amino (ALT) (SGPT) (84460) Transferase, aspartate amino (AST) (SGOT) (84450)

This Hepatic (liver) Function Panel includes the two transaminase-based enzyme tests ALT and AST and should be included in the definition of "abnormal liver function test results" described in the NCD and defined in the ICD-9CM code being requested.



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In summary, CLMA believes that the ICD-9-CM code 790.4 flows from the narrative of the Hepatitis Panel/Acute Hepatitis Panel NCD, and we respectfully request that CMS considers adding the code to the list of "ICD-9-CM Codes Covered by Medicare" for that NCD.

If you have any questions, please contact Katharine I. Ayres, CLMA Director of Legislative and Regulatory Affairs, at 610.995.2640, extension 232 or at kayres@clma.org.

Thank you for your attention to this matter and we look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script that reads 'Judy A. Lien'.

Judy A. Lien
President