

**The CMS Quarterly Provider Update
APRIL 2010**

What's New

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06/28/2010

REGULATION(S) RELEASED

CMS-3228-P, entitled "Medicare and Medicaid Programs; Changes to the Hospital and Critical Access Hospital Conditions of Participation to Ensure Visitation rights for All Patients," was published. This regulation affects Hospitals.
[View CMS-3228-P](#)

CMS-9059-N, entitled "Medicare and Medicaid Programs; Quarterly Listing of Program Issuances—January Through March 2010," was published. This regulation affects Other CMS Business.
[View CMS-9059-N](#)

06/25/2010

TRANSMITTAL(S) RELEASED

Transmittal 346, entitled "Guidance on Implementing Section 3109 (a) of the Patient Protection and Affordable Care Act (PPACA)," was published. This regulation affects Durable Medical Equipment, Prosthetics, Orthotics and Supplies.
[View the complete text of Transmittal 346](#)

TRANSMITTAL(S) RELEASED – MID-QUARTER

Transmittal 1992, entitled "July Update to the 2010 Medicare Physician Fee Schedule Database (MPFSDB)," was published. This regulation affects Non-Physician Practitioners and Physicians.
[View the complete text of Transmittal 1992](#)

06/18/2010

TRANSMITTAL(S) RELEASED

Transmittal 1989, entitled "October Quarterly Update to 2010 Annual Update of HCPCS Codes Used for Skilled Nursing Facility (SNF) Consolidated Billing (CB) Enforcement," was published. This regulation affects Skilled Nursing Facilities.
[View the complete text of Transmittal 1989](#)

TRANSMITTAL(S) RELEASED – MID-QUARTER

Transmittal 1990, entitled “October 2010 Quarterly Average Sales Price (ASP) Medicare Part B Drug Pricing Files and Revisions to Prior Quarterly Pricing Files,” was published. This regulation affects Durable Medical Equipment, Prosthetics, Orthotics and Supplies, Hospitals, Non-Physician Practitioners and Physicians.

[View the complete text of Transmittal 1990](#)

06/17/2010

REGULATION(S) RELEASED

CMS-1406-CN2, entitled “Medicare Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and Fiscal Year 2010 Rates and to the Long-Term Care Hospital Prospective Payment System and Rate Year 2010 Rates: Final Fiscal Year 2010 Wage Indices and Payment Rates Implementing the Affordable Care Act; Corrections,” was published. This regulation affects Hospitals.

[View CMS-1406-CN2](#)

CMS-1498-CN2, entitled “Medicare Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and Fiscal Year 2010 Rates and to the Long-Term Care Hospital Prospective Payment System and Rate Year 2010 Rates: Final Fiscal Year 2010 Wage Indices and Payment Rates Implementing the Affordable Care Act; Corrections,” was published. This regulation affects Hospitals.

[View CMS-1498-CN2](#)

06/11/2010

TRANSMITTAL(S) RELEASED

Transmittal 1986, entitled “Guidelines to Allow Contractors to Develop and Utilize Procedures for Accepting and Processing Appeals via Facsimile and/or via a Secure Internet Portal/Application,” was published. This regulation affects ALL Providers.

[View the complete text of Transmittal 1986](#)

TRANSMITTAL(S) RELEASED - CLARIFICATION

Transmittal 1983, entitled “Clarification on Use of the SNF ABN and Denial Letters,” was published. This regulation affects Skilled Nursing Facilities.

[View the complete text of Transmittal 1983](#)

TRANSMITTAL(S) RELEASED – MID-QUARTER

Transmittal 1984, entitled “Clarification on Use of the SNF ABN and Denial Letters,” was published. This regulation affects Ambulatory Surgical Centers.

[View the complete text of Transmittal 1984](#)

REGULATION(S) RELEASED

CMS-1576-N, entitled “Medicare and Medicaid Programs; Procedure for Hospitals Seeking To Enter Into an Agreement With a Different Organ

Procurement Organization Following an 1138(a)(2) Waiver,” was published. This regulation affects Organ Procurement Organizations.

[View CMS-1576-N](#)

06/10/2010

REGULATION(S) RELEASED

CMS-4085-CN, entitled “Medicare Program; Policy and Technical Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs; Corrections,” was published. This regulation affects ALL Providers and Medicare+Choice.

[View CMS-4085-CN](#)

06/04/2010

TRANSMITTAL(S) RELEASED - CLARIFICATION

Transmittal 122, entitled “Dermal Injections for Treatment of Facial Lipodystrophy Syndrome (LDS),” was published. This regulation affects Ambulatory Surgical Centers, Non-Physician Practitioners and Physicians.

[View the complete text of Transmittal 122](#)

Transmittal 1978, entitled “Dermal Injections for Treatment of Facial Lipodystrophy Syndrome (LDS),” was published. This regulation affects Ambulatory Surgical Centers, Non-Physician Practitioners and Physicians.

[View the complete text of Transmittal 1978](#)

TRANSMITTAL(S) RELEASED – MID-QUARTER

Transmittal 1981, entitled “Update-Inpatient Psychiatric Facilities Prospective Payment System (IPF PPS) Rate Year 2011,” was published. This regulation affects Hospitals.

[View the complete text of Transmittal 1981](#)

06/02/2010

REGULATION(S) RELEASED

CMS-1406-N, entitled “Medicare Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and Fiscal Year 2010 Rates and to the Long-Term Care Hospital Prospective Payment System and Rate Year 2010 Rates: Final Fiscal Year 2010 Wage Indices and Payment Rates Implementing the Affordable Care Act,” was published. This regulation is a Notice.

[View CMS-1406-N](#)

CMS-1498-P2, entitled “Supplemental Proposed Changes to the Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and Supplemental Proposed Fiscal Year 2011 Rates,” was published. This regulation is a Proposed rule.

[View CMS-1498-P2](#)

06/01/2010

TRANSMITTAL(S) RELEASED - CLARIFICATION

Transmittal 121, entitled “Collagen Meniscus Implant,” was published. This regulation affects Ambulatory Surgical Centers, Hospitals, and Physicians.
[View the complete text of Transmittal 121](#)

Transmittal 127, entitled “Revisions and Re-issuance of Audiology Policies,” was published. This regulation affects Hospitals, Independent Diagnostic Testing Facilities, Non-Physician Practitioners and Physicians.
[View the complete text of Transmittal 127](#)

TRANSMITTAL(S) RELEASED – MID-QUARTER

Transmittal 128, entitled “July 2010 Update of the Hospital Outpatient Prospective Payment System (OPPS),” was published. This regulation affects Hospitals.
[View the complete text of Transmittal 128](#)

Transmittal 1968, entitled “New Waived Tests,” was published. This regulation affects Clinical Diagnostic Laboratories.
[View the complete text of Transmittal 1968](#)

Transmittal 1976, entitled “July 2010 Update of the Hospital Outpatient Prospective Payment System (OPPS),” was published. This regulation affects Hospitals.
[View the complete text of Transmittal 1976](#)

05/28/2010

REGULATION(S) RELEASED

CMS-1340-N, entitled “Medicare Program; Public Meeting in Calendar Year 2010 for New Clinical Laboratory Tests Payment Determinations,” was published. This regulation is a Meeting Notice.
[View CMS-1340-N](#)

CMS-2244-FC, entitled “Medicaid Program; Premiums and Cost Sharing,” was published. This regulation affects Medicaid.
[View CMS-2244-FC](#)

CMS-2316-N, entitled “Medicaid and CHIP Programs; Meeting of the CHIP Working Group--June 14, 2010,” was published. This regulation is a Meeting Notice.
[View CMS-2316-N](#)

CMS-7018-N, entitled “Medicare Program; Meeting of the Advisory Panel on Medicare Education,” was published. This regulation is a Meeting Notice.
[View CMS-7018-N](#)

05/26/2010

REGULATION(S) RELEASED

CMS-3227-P, entitled “Medicare and Medicaid Programs: Proposed Changes Affecting Hospital and Critical Access Hospital (CAH) Conditions of Participation (CoPs): Credentialing and Privileging of Telemedicine Physicians and Practitioners,” was published. This regulation affects Hospitals and Physicians.
[View CMS-3227-P](#)

CMS-4151-NC, entitled "Medicare Program; Medicare Coverage Gap Discount Program Model Manufacturer Agreement and Announcement of the June 1, 2010 Public Meeting," was published. This regulation affects Other CMS Business and is a Meeting Notice.

[View CMS-4151-NC](#)

05/21/2010

TRANSMITTAL(S) RELEASED

Transmittal 126, entitled "Cardiac Rehabilitation and Intensive Cardiac Rehabilitation," was published. This regulation affects Outpatient Physical Therapy and Physicians.

[View the complete text of Transmittal 126](#)

Transmittal 709, entitled "Additional Instruction for Implementation of Health Insurance Portability and Accountability Act of 1996 (HIPAA) Version 5010 for Transaction 835 - Health Care Claim Payment/Advice and Updated Standard Paper Remit (SPR)," was published. This regulation affects ALL Providers.

[View the complete text of Transmittal 709](#)

TRANSMITTAL(S) RELEASED - CLARIFICATION

Transmittal 706, entitled "Extension for the Two Percent and Three Percent Add-On for the Ground Ambulance, Air Ambulance in Rural Areas and "Super Rural" Add-On," was published. This regulation affects Ambulances.

[View the complete text of Transmittal 706](#)

Transmittal 1973, entitled "Internet Only Manual (IOM) Chapter 25 Revisions," was published. This regulation affects Ambulatory Surgical Centers, Comprehensive Outpatient Rehabilitation Facilities, Federally-Qualified Health Centers, Home Health Agencies, Hospices, Hospitals, Religious Non-Medical Health Care Institutions and Skilled Nursing Facilities.

[View the complete text of Transmittal 1973](#)

TRANSMITTAL(S) RELEASED – MID-QUARTER

Transmittal 1971, entitled "Quarterly Update to Correct Coding Initiative (CCI) Edits, Version 16.2, Effective July 1, 2010," was published. This regulation affects Physicians.

[View the complete text of Transmittal 1971](#)

Transmittal 1972, entitled "Quarterly HCPCS Code Changes July 2010 Update," was published. This regulation affects Ambulatory Surgical Centers, Durable Medical Equipment, Prosthetics, Orthotics and Supplies, Federally-Qualified Health Centers, Home Health Agencies, Hospitals, Non-Physician Practitioners, Physicians and Rural Health Clinics.

[View the complete text of Transmittal 1972](#)

05/14/2010

TRANSMITTAL(S) RELEASED - CLARIFICATION

Transmittal 125, entitled "Ambulance Services - Joint Responses," was published. This regulation affects Ambulances.

[View the complete text of Transmittal 125](#)

TRANSMITTAL(S) RELEASED – MID-QUARTER

Transmittal 1969, entitled “July 2010 Integrated Outpatient Code Editor (I/OCE) Specifications Version 11.2,” was published. This regulation affects Community Mental Health Centers, Comprehensive Outpatient Rehabilitation Facilities, Federally-Qualified Health Centers, Home Health Agencies, Hospices, Hospitals, Outpatient Physical Therapy, Renal Dialysis Facilities, Rural Health Clinics, Religious Non-Medical Health Care Institutions and Skilled Nursing Facilities.
[View the complete text of Transmittal 1969](#)

05/11/2010

REGULATION(S) RELEASED

CMS-1413-CN4, entitled “Medicare Program; Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for CY 2010; Corrections; Final Rule,” was published. This regulation affects Physicians.
[View CMS-1413-CN4](#)

05/10/2010

TRANSMITTAL(S) RELEASED

Transmittal 124, entitled “Pulmonary Rehabilitation (PR) Services,” was published. This regulation affects Ambulatory Surgical Centers, Non-Physician Practitioners and Physicians.

[View the complete text of Transmittal 124](#)

Transmittal 697, entitled “Systems Changes Necessary to Implement the Patient Protection and Affordable Care Act (PPACA) Section 6404 - Maximum Period for Submission of Medicare Claims Reduced to Not More Than 12 Months,” was published. This regulation affects ALL Providers.

[View the complete text of Transmittal 697](#)

TRANSMITTAL(S) RELEASED - CLARIFICATION

Transmittal 694, entitled “Multiple Procedure Payment Reduction (MPPR) on the Technical Component (TC) of Certain Diagnostic Imaging Procedures,” was published. This regulation affects Physicians.

[View the complete text of Transmittal 694](#)

Transmittal 700, entitled “Revised Payment Files for the 2010 Medicare Physician Fee Schedule Database (MPFSDB) and Retroactive Provisions under the Patient Protection and Affordable Care Act (Pub. L. 111-148) (PPACA),” was published. This regulation affects Non-Physician Practitioners and Physicians.

[View the complete text of Transmittal 700](#)

Transmittal 1965, entitled “Appeals Revisions AIC Requirements,” was published. This regulation affects ALL Providers.

[View the complete text of Transmittal 1965](#)

TRANSMITTAL(S) RELEASED – MID-QUARTER

Transmittal 1967, entitled “July Update for 2010 Durable Medical Equipment, Prosthetics, Orthotics, and Suppliers (DMEPOS) Fee Schedule,” was published.

This regulation affects Durable Medical Equipment, Prosthetics, Orthotics and Supplies.

[View the complete text of Transmittal 1967](#)

05/05/2010

REGULATION(S) RELEASED

CMS-6010-IFC, entitled "Medicare and Medicaid Programs; Changes in Provider and Supplier Enrollment, Ordering and Referring, and Documentation Requirements; and Changes in Provider Agreements," was published. This regulation affects Suppliers.

[View CMS-6010-IFC](#)

05/04/2010

REGULATION(S) RELEASED

CMS-1498-P, entitled "Medicare Program; Proposed Changes to the Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and Proposed Fiscal Year 2011 Rates; Effective Date of Provider Agreements and Supplier Approvals; and Hospital Conditions of Participation for Rehabilitation and Respiratory Care Services Medicaid Program: Accreditation Requirements for Providers of Inpatient Psychiatric Services for Individuals Under Age 21," was published. This regulation affects Hospitals.

[View CMS-1498-P](#)

04/30/2010

REGULATION(S) RELEASED

CMS-1424-N, entitled "Medicare Program; Inpatient Psychiatric Facilities Prospective Payment System Payment--Update for Rate Year Beginning July 1, 2010 (RY 2011); Notice," was published. This regulation affects Medicaid.

[View CMS-1424-N](#)

CMS-2232-F4, entitled "Medicaid Program; State Flexibility for Medicaid Benefit Packages," was published. This regulation affects Medicaid.

[View CMS-2232-F4](#)

04/29/2010

TRANSMITTAL(S) RELEASED

Transmittal 686, entitled "Change in Claims Filing Jurisdiction for Tracheo-Esophageal Voice Prosthesis Healthcare Common Procedure Coding System (HCPCS) Code," was published. This regulation affects Durable Medical Equipment, Prosthetics, Orthotics, and Supplies, and Physicians.

[View the complete text of Transmittal 686](#)

Transmittal 690, entitled "Durable Medical Equipment National Competitive Bidding Implementation – Phase 10C: Exception for Medicare Beneficiaries Previously Enrolled in a Medicare Advantage Plan," was published. This regulation affects Home Durable Medical Equipment, Prosthetics, Orthotics and Supplies.

View the complete text of Transmittal 690

Transmittal 691, entitled "The Transition of a Segment of the Wisconsin Physicians Service (WPS) Legacy Workload (Formerly Processed by Mutual of Omaha) for the states of Colorado, New Mexico, Oklahoma and Texas to the J4 A/B Medicare Administrative Contractor (MAC)," was published. This regulation affects Home Health Agencies, Hospices, Hospitals and Skilled Nursing Facilities.

View the complete text of Transmittal 691

Transmittal 693, entitled "Instructions Regarding the Processing of Inpatient Claims for Gender/Procedure Conflict," was published. This regulation affects Hospitals.

View the complete text of Transmittal 693

04/28/2010

TRANSMITTAL(S) RELEASED

Transmittal 677, entitled "Expansion of the Current Scope of Editing for Attending Physician Providers for Free-Standing and Provider-Based Home Health Agency (HHA) Claims Processed by Medicare Regional Home Health Intermediaries (RHHIs)," was published. This regulation affects Home Health Agencies and Physicians.

View the complete text of Transmittal 677

Transmittal 684, entitled "New Medicare Summary Notice (MSN) Message for Higher than Expected (PPS) Payments," was published. This regulation affects ALL Providers.

View the complete text of Transmittal 684

Transmittal 1952, entitled "Enhancements to Home Health (HH) Consolidated Billing," was published. This regulation affects ALL Providers.

View the complete text of Transmittal 1952

Transmittal 1953, entitled "Use of 12X Type of Bill (TOB) for Billing Colorectal Screening Services," was published. This regulation affects Hospitals.

View the complete text of Transmittal 1953

Transmittal 1956, entitled "Remittance Advice Coding to Identify Claims Subject to the Limitation on Home Health Prospective Payment System (HH PPS) Outlier Payments," was published. This regulation affects Home Health Agencies.

View the complete text of Transmittal 1956

Transmittal 1957, entitled "Update to the HCPCS Codes for Payment of Surgical Dressings in Indian Health Service (IHS) Providers," was published. This regulation affects Medicare Advantage.

View the complete text of Transmittal 1957

Transmittal 1958, entitled "Skilled Nursing Facility (SNF) Health Insurance Prospective Payment System (HIPPS) Coding Updates Effective October 1, 2010," was published. This regulation affects Skilled Nursing Facilities.

View the complete text of Transmittal 1958

04/27/2010

TRANSMITTAL(S) RELEASED

Transmittal 676, entitled "Payment of Oxygen Contents to Suppliers After the 36th Month Rental Cap under the Medicare Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Competitive Bidding Program," was published. This regulation affects Durable Medical Equipment, Prosthetics, Orthotics and Supplies.

[View the complete text of Transmittal 676](#)

Transmittal 1951, entitled "Removal of the Provider Reporting Requirement for Total Number of Therapy Visits Using Value Codes 50 - 53," was published. This regulation affects Comprehensive Outpatient Rehabilitation Facilities, Hospitals, Outpatient Physical Therapy and Skilled Nursing Facilities.

[View the complete text of Transmittal 1951](#)

04/23/2010

TRANSMITTAL(S) RELEASED – CLARIFICATION

Transmittal 674, entitled "Temporary 3 Percent Rural Add-On for the Home Health Prospective Payment System (HH PPS)," was published. This regulation affects Home Health Agencies.

[View the complete text of Transmittal 674](#)

TRANSMITTAL(S) RELEASED – MID-QUARTER

Transmittal 1950, entitled "Claim Adjustment Reason Code (CARC), Remittance Advice Remark Code (RARC), and Medicare Remit Easy Print (MREP) Update," was published. This regulation affects ALL Providers.

[View the complete text of Transmittal 1950](#)

REGULATION(S) RELEASED

CMS-1343-NC, entitled "Medicare and Medicaid Programs; Announcement of an Application From a Hospital Requesting Waiver for Organ Procurement Service Area," was published. This regulation affects Hospitals.

[View CMS-1343-NC](#)

CMS-2266-F, entitled "Medicare and Medicaid Programs; Waiver of Disapproval of Nurse Aide Training Program in Certain Cases," was published. This regulation affects Medicaid and Skilled Nursing Facilities.

[View CMS-2266-F](#)

CMS-2300-N, entitled "Medicaid Program; Final FY 2008, Revised Preliminary FY 2009, and Preliminary FY 2010 Disproportionate Share Hospital Allotments and Final FY 2008, Revised Preliminary FY 2009, and Preliminary FY 2010 Disproportionate Share Hospital Institutions for Mental Disease Limits," was published. This regulation affects Medicaid.

[View CMS-2300-N](#)

CMS-2309-N, entitled "Medicaid Program; State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 2009 and Federal Fiscal Year 2010," was published. This regulation affects Medicaid.

[View CMS-2309-N](#)

CMS-3217-P, entitled "Medicare Program; Ambulatory Surgical Centers, Conditions for Coverage," was published. This regulation affects Ambulatory Surgical Centers.

[View CMS-3217-P](#)

04/20/2010

TRANSMITTAL(S) RELEASED – MID-QUARTER

Transmittal 166, entitled "Notice of New Interest Rate for Medicare Overpayments and Underpayments – 3rd Notification for FY 2010," was published. This regulation affects ALL Providers.

[View the complete text of Transmittal 166](#)

04/15/2010

REGULATION(S) RELEASED

CMS-4085-F, entitled "Medicare Program; Policy and Technical Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs; Final," was published. This regulation affects ALL Providers.

[View CMS-4085-F](#)

04/12/2010

TRANSMITTAL(S) RELEASED - CLARIFICATION

Transmittal 122, entitled "Claims Submitted for Items or Services Furnished to Medicare Beneficiaries in State or Local Custody Under a Penal Authority and Examples of Application of Government Entity Exclusion. This CR rescinds and fully replaces CR 6544," was published. This regulation affects ALL Providers.

[View the complete text of Transmittal 122](#)

Transmittal 144, entitled "Claims Submitted for Items or Services Furnished to Medicare Beneficiaries in State or Local Custody Under a Penal Authority and Examples of Application of Government Entity Exclusion. This CR rescinds and fully replaces CR 6544," was published. This regulation affects ALL Providers.

[View the complete text of Transmittal 144](#)

Transmittal 145, entitled "New Legislation to Allow Independent Laboratory Billing for the Technical Component of Physician Pathology Services for Hospital Inpatients and Outpatients," was published. This regulation affects Clinical Diagnostic Laboratories and Hospitals.

[View the complete text of Transmittal 145](#)

04/02/2010

TRANSMITTAL(S) RELEASED - CLARIFICATION

Transmittal 140, entitled "Extension of Reasonable Cost Payment for Clinical Lab Tests Furnished by Hospitals with Fewer Than 50 Beds in Qualified Rural Areas," was published. This regulation affects CLIA and Hospitals.

[View the complete text of Transmittal 140](#)

Transmittal 142, entitled "Update to the Medical Conditions List and Instructions," was published. This regulation affects Ambulance.

View the complete text of Transmittal 1942

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CMS Manuals	http://www.cms.hhs.gov/Manuals/
CMS Transmittals	http://www.cms.hhs.gov/Transmittals/
Office of the Attorney Advisor	http://www.cms.hhs.gov/OfficeAttorneyAdvisor/
Executive Order Guidance (EOG)	http://www.cms.hhs.gov/EOG/
Legislative Update	http://www.cms.hhs.gov/LegislativeUpdate/
FOIA	http://www.cms.hhs.gov/AboutWebsite/04_FOIA.asp
Advisory Committees	http://www.cms.hhs.gov/FACA/
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CMS Small Entity Compliance Guides	http://www.cms.hhs.gov/SmallEntity/
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