



## Provider Inquiry Assistance

### Medicare Improvements for Patients and Providers Act of 2008 - Legislative Change to Independent Laboratory Billing for the Technical Component (TC) of Physician Pathology Services – JA6042

Related CR Release Date : July 25, 2008

Date Job Aid Revised: August 26, 2008

Effective Date: July 1, 2008

Implementation Date: August 25, 2008

<b>Key Words</b>	MM6042, CR6042, R1561CP, CR5347, MM5347, Independent, Laboratory, Billing, TC, Pathology
<b>Contractors Affected</b>	<ul style="list-style-type: none"> <li>• Part A/B Medicare Administrative Contractors (A/B MACs)</li> <li>• Medicare Carriers</li> </ul>
<b>Provider Types Affected</b>	Independent laboratories billing Medicare Carriers or A/B MACs for services rendered to hospitalized Medicare beneficiaries



Change request (CR) 6042 instructs the carriers/MACs not to implement the business requirements of CR5347 with respect to action for physician pathology services.

**Provider Needs to Know...**

- CR5347 prevents payment by a carrier for a TC of a pathology service rendered during an inpatient stay or for the same date of service (DOS) as an outpatient service.
- **CR6042 negates that directive to carriers/MACs.**
- Qualifying independent laboratories may continue to bill Medicare directly for the TC of certain physician pathology services provided to patients as part of a covered hospital inpatient stay or outpatient hospital service, through December 31, 2009, regardless of the beneficiary's hospitalization status, in accordance with the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA).

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Background

- As a result of MIPPA, CR6042 instructs carriers and A/B MACs to notify the independent laboratories that those that qualify to bill under the Section 542 of the Benefits Improvement and Protection Act of 2000 (BIPA)/Section 732 of the Medicare Modernization Act /Section 104 of the Tax Relief and Health Care Act of 2006 /Section 104 of the Medicare, Medicaid, and the State Children's Health Insurance Program (SCHIP) Extension Act of 2007 (MMSEA) for the TC of the physician pathology services may continue to do so effective with DOS July 1, 2008, through December 31, 2009.
  - This is an additional eighteen (18) months beyond the expiration date in the MMSEA.
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Operational  
Impact

N/A

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Reference  
Materials

The related MLN Matters article can be found at <http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6042.pdf> on the CMS website.

The official instruction (CR6042) issued regarding this change may be found at <http://www.cms.hhs.gov/Transmittals/downloads/R1561CP.pdf> on the CMS website.

Providers can review MLN Matters article MM5347 at <http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM5347.pdf> on the CMS website.

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