



Provider Inquiry Assistance

Section 2902 of the Patient Protection and Affordable Care Act Permanently Extends Section 630 of the Medicare Prescription Drug, Improvement, and Modernization Act (MMA) of 2003 for the Payment of Indian Health Services (IHS) – JA0930

Note: MLN Matters® article SE0930 was revised and re-issued on March 31, 2010, to reflect the impact of the Patient Protection and Affordable Care Act on these IHS services. The new law Act extends Section 630 of the MMA retroactive to January 1, 2010. The rest of the article explains how the new law impacts claims.

Related CR Release Date: N/A **Revised**

Date Job Aid Revised: April 6, 2010

Effective Date: January 1, 2010

Implementation Date: As soon as possible

Key Words SE0930, MMA, Section 630, IHS

Contractors Affected

- Medicare Administrative Contractors (MACs)
- Fiscal Intermediaries
- Regional Home Health Intermediaries
- Medicare Carriers
- Durable Medical Equipment MACs (DME MACs)

Provider Types Affected IHS tribe and tribal organizations and facilities submitting claims to Medicare contractors



- SE0930 notified affected IHS physicians, IHS providers, and IHS suppliers that per the provisions of Section 630 of the MMA, coverage of certain Part B services will no longer be covered for Medicare payment when the provisions sunset as of December 31, 2009.
 - However, on March 23, 2010, President Obama signed into law the Patient Protection and Affordable Care Act. Section 2902 of the new law permanently extends Section 630 of the MMA, retroactive to January 1, 2010.
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<p>Provider Needs to Know...</p>	<ul style="list-style-type: none"> • The items and services include the following: <ul style="list-style-type: none"> • Durable Medical Equipment, prosthetics and orthotics; • Therapeutic shoes; • Clinical laboratory services; • Surgical dressings, splints and casts; • Drugs (those processed by the J4 A/B MAC and DME MACs); • Ambulance services; • Influenza and pneumonia vaccinations; and • Screening and preventive services. • Indian Health Service providers, suppliers, physicians and other practitioners should contact their Medicare contractor for further guidance, regarding IHS claims affected by the new law (for dates of service January 1, 2010, and after) that were denied prior to implementation of the new law. • CMS is committed to maintaining open lines of communication with all affected providers and stakeholders on this issue. Providers should be on the alert for more information pertaining to the Patient Protection and Affordable Care Act.
<p>Note: It will take approximately two weeks for the Medicare contractor to update their systems to be able to pay correctly for these services. Providers may want to wait until the claims processing system is updated before submitting any new claims containing these IHS services.</p>	
<p>Background</p>	<p>The Social Security Act (Section 1880) provides for payment to IHS facilities for services paid under the Medicare physician fee schedule.</p>
<p>Operational Impact</p>	<p>N/A</p>
<p>Reference Materials</p>	<p>The related MLN Matters® article SE0930 can be found at http://www.cms.hhs.gov/MLNMattersArticles/downloads/SE0930.pdf on the CMS website.</p>