



Related MLN Matters Article #: MM3502

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Related CR #: 3502

Treatment of Obesity

Key Words

MM3502, CR3502, R23NCD, Obesity, NCD

Provider Types Affected

Physicians, providers, and suppliers

Key Points

- The effective date for this instruction is October 1, 2004.
- The implementation date is October 1, 2004.
- Language stating, "Obesity itself cannot be considered an illness." is being removed from the *National Coverage Determination (NCD) Manual*.
- This change will not directly affect current Medicare coverage of obesity treatments.
- Treatment for obesity alone remains non-covered, and treatments of diseases resulting in or exacerbated by obesity remain unchanged.
- Removal of the language will permit interested parties to submit NCD requests for anti-obesity interventions to the Centers for Medicare & Medicaid Services (CMS) to determine if scientific and medical evidence demonstrates their effectiveness in improving Medicare beneficiaries' health outcomes.
- **Nationally Covered Indications** – Medicare covers services performed in connection with the treatment of obesity only when the services are an integral and necessary part of a course of treatment for diseases such as hypothyroidism, Cushing's disease, hypothalamic lesions, cardiovascular diseases, respiratory diseases, diabetes, and hypertension.
- **Nationally Non-covered Indications** – Treatment of obesity alone is not covered under the Medicare program.

- Supplemental fasting is not covered under the Medicare program as a treatment for obesity.
- However, supplemented fasting with adequate patient monitoring is eligible for a local coverage determination at the discretion of the Medicare contractor where weight loss is necessary before surgery to ameliorate potential complications from obesity when it coexists with pathological conditions such as cardiac and respiratory diseases, diabetes, or hypertension (and more conservative techniques to achieve weight loss are not considered appropriate).

Important Links

The related MLN Matters article can be found at

<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM3502.pdf> on the CMS website.

The official instructions (CR3502) issued regarding this change can be found at

<http://www.cms.hhs.gov/Transmittals/downloads/R23NCD.pdf> on the CMS website.

If providers/suppliers have questions, they may contact their Medicare contractor at their toll-free number, which may be found at

<http://www.cms.hhs.gov/MLNProducts/downloads/CallCenterTollNumDirectory.zip> on the CMS website.