

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Centers for Medicare & Medicaid Services



National Nutrition Month - The Centers for Medicare & Medicaid Services reminds health care professionals that March is National Nutrition Month®- a time to “Bite into a Healthy Lifestyle” with informed food choices now and throughout the year. Medicare provides coverage for a variety of nutrition-related health services that can help eligible beneficiaries reach their nutrition and dietary goals. [Read more](#) to learn about nutrition-related health services covered by Medicare.

MLN Matters® Number: MM9095 Revised **Related Change Request (CR) #: CR 9095**
Related CR Release Date: March 27, 2015 **Effective Date: December 18, 2014**
Related CR Transmittal #: R181NCD **Implementation Date: April 6, 2015**

Removal of Multiple National Coverage Determinations Using an Expedited Process

Note: This article was revised on March 28, 2015, to reflect the revised CR9095 issued on March 27. In the article, the CR release date, transmittal number, and the Web address for accessing the CR are revised. All other information remains the same.

Provider Types Affected

This MLN Matters® Article is intended for physicians, providers, and suppliers who submit claims to Medicare Administrative Contractors (MACs) for services provided to Medicare beneficiaries.

Provider Action Needed

Effective December 18, 2014, Change Request (CR) 9095 removes Sections 50.6 - Tinnitus masking, 160.4 - Stereotactic Cingulotomy as a Means of Psychosurgery, 160.6 - Carotid Sinus Nerve Stimulator, 160.9 - Electroencephalographic (EEG) Monitoring During Open-Heart Surgery, 190.4 - Electron Microscope, 220.7 - Xenon Scan, and 220.8 - Nuclear

Disclaimer

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Radiology Procedure from the Medicare "National Coverage Determinations Manual" or the NCD Manual. Providers and their staffs should be aware that removing an NCD results in coverage determinations being at the discretion of local MACs within their respective jurisdictions.

Background

CR9095 removes seven NCDs from Publication 100-03, NCD Manual, pursuant to the expedited process that was established in an August 7, 2013, Federal Register (FR) notice (78 FR 48164). The FR notice is available at

<http://www.cms.gov/Medicare/Coverage/DeterminationProcess/Downloads/FR08072013.pdf> on the Centers for Medicare & Medicaid Services (CMS) website.

A CMS decision memorandum dated December 18, 2014, contains a summary of the expedited removal process and explicitly removes seven NCDs from the NCD Manual sections as follows:

- 50.6 - Tinnitus masking;
- 160.4 - Stereotactic Cingulotomy as a Means of Psychosurgery;
- 160.6 - Carotid Sinus Nerve Stimulator;
- 160.9 - Electroencephalographic (EEG) Monitoring During Open-Heart Surgery;
- 190.4 - Electron Microscope;
- 220.7 - Xenon Scan; and
- 220.8 - Nuclear Radiology Procedure.

You can review the CMS decision memorandum at <http://www.cms.gov/medicare-coverage-database/details/medicare-coverage-document-details.aspx?MCDId=29&mcdtypename=National+Coverage+Determinations+Proposed+for+Removal&MCDIndexType=7&bc=AgAEAAAAAAAAAAAA%3d%3d&> on the CMS website.

In the absence of an NCD, MACs should revert to historical standing policy and consider whether any Medicare claims for these services are reasonable and necessary under the Social Security Act (Section 1862(a)(1)(A)); see http://www.ssa.gov/OP_Home/ssact/title18/1862.htm) consistent with the existing guidance for making such decisions when there is no NCD.

Additional Information

The official instruction, CR9095, issued to your MAC regarding this change is available at <http://www.cms.hhs.gov/Regulations-and-Guidance/Guidance/Transmittals/Downloads/R181NCD.pdf> on the CMS website.

If you have any questions, please contact your MAC at their toll-free number. That number is available at <http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Net/work-MLN/MLNMattersArticles/index.html> under - How Does It Work.

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