

MLN Matters Number: MM4149

Related Change Request (CR) #: 4149

Related CR Release Date: December 2, 2005

Effective Date: November 17, 2005

Related CR Transmittal #: 768

Implementation Date: March 2, 2006

## Lung Volume Reduction Surgery

**Note:** This article was updated on February 21, 2013, to reflect current Web addresses. All other information remains unchanged.

### Provider Types Affected

All Medicare providers who submit claims to Medicare carriers or fiscal intermediaries (FIs) for Lung Volume Reduction Surgery (LVRS)

### Provider Action Needed



#### STOP – Impact to You

CR4149 outlines the newly modified requirements for facilities eligible to perform LVRS and the updated manual paragraphs on the National Emphysema Treatment Trail (NETT) published by the Centers for Medicare & Medicaid Services (CMS).

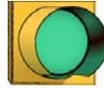


#### CAUTION – What You Need to Know

Beginning November 17, 2005, CMS will allow facilities certified under the Disease Specific Care Certification Program for LVRS by the Joint Commission of Health Care Organizations (Joint Commission) to be Medicare approved LVRS facilities. Hospitals that are Medicare approved for lung or heart-lung transplant will continue to be approved for LVRS. NETT facilities are no longer automatically approved for LVRS. These hospitals will have 18 months to become approved under one of the other existing mechanisms.

#### Disclaimer

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**GO – What You Need to Do**

Be aware of the new requirements for LVRS facilities.

## Background

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Between 1997 and 2003, CMS covered LVRS when provided under the protocol of the National Emphysema Treatment Trial (NETT), a clinical trial sponsored by the National Heart Lung and Blood Institute and CMS. On January 1, 2004, a national coverage determination became effective that allowed coverage of LVRS, outside of a trial, for patients with certain clinical indications and when performed at approved hospitals (CR2688).

CR4149 updates the requirements for hospitals to become approved as Medicare LVRS facilities. CMS will maintain an updated listing of approved LVRS facilities at <http://www.cms.gov/Medicare/Medicare-General-Information/MedicareApprovedFacilitie/index.html> on the CMS website.

**Note:** The NETT has ended and CR4149 removes outdated language from the Medicare National Coverage Determinations Manual that refers to coverage for LVRS under the protocol of that trial.

Medicare will consider LVRS reasonable and necessary only when the following requirements are met:

- Effective for services performed on or after November 17, 2005, LVRS is performed at a facility that is:
  - Certified by the Joint Commission on Accreditation of Healthcare Organizations (Joint Commission) under the LVRS Disease Specific Care Certification Program (program standards and requirements as printed in the Joint Commission's October 25, 2004, Disease Specific Care Certification Program packet); or
  - Performed at facilities that are Medicare-approved for lung or heart-lung transplantation.

CMS further determines that LVRS performed between January 1, 2004 and May 17, 2007, may be performed at facilities that:

- Were approved by the National Heart Lung and Blood Institute to participate in the National Emphysema Treatment Trial;
- Are Medicare-approved for lung or heart-lung transplantation.

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## Additional Information

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The official instructions issued to your carrier/intermediary regarding this change can be found at <http://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/downloads/R768CP.pdf> on the CMS website. The changes to Publication 100-03, Medicare National Coverage Determinations Manual, Chapter 1, Part 4, § 240.1, are attached to CR4149.

If you have questions, please contact your carrier/intermediary at their toll-free number which may be found at <http://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/provider-compliance-interactive-map/index.html> on the CMS website.

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