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# Program Memorandum Intermediaries/Carriers

Department of Health & Human  
Services (DHHS)  
Centers for Medicare &  
Medicaid Services (CMS)

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Transmittal AB-01-150

Date: OCTOBER 25, 2001

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This Program Memorandum re-issues Program Memorandum AB-00-95, Change Request 1374 dated October 11, 2000. The only change is the discard date and contact person; all other material remains the same.

## CHANGE REQUEST 1374

### SUBJECT: Facility Requirements for Transplantation Centers -- INFORMATION ONLY

This Program Memorandum (PM) is a national coverage decision made under §1862(a)(1) of the Social Security Act (the Act). National coverage determinations (NCDs) are binding on all carriers, intermediaries, peer review organizations, and other contractors. Under 42 CFR 422.256(b) an NCD that expands coverage is also binding on a Medicare+Choice Organization. In addition, an administrative law judge may not disregard, set aside, or otherwise review a national coverage decision issued under §1862(a)(1), (see 42 CFR 405.732 and 405.860).

In order for a transplant facility to obtain Medicare coverage for organ transplantation, it must meet pre-approved guidelines. These guidelines differ for heart, liver, and lung transplantation. There are subtle differences, which are organ dependent, among facility criteria. The criteria are set forth in *Federal Register* notices concerning heart, liver, and lung transplants, respectively (52 FR 10935, dated April 6, 1987, 56 FR 15008, dated April 12, 1991, and 60 FR 6537, dated February 2, 1995).

This PM alters the volume criterion to require 12 transplants over a 12-month period for heart and liver transplant centers, and 10 transplants over a 12-month period for lung transplant centers. This eliminates the 2-year minimum experience requirement.

Because no systems changes or claims processing instructions are required in order to implement this national coverage decision, the revised policy will be effective on October 11, 2000.

**The effective date for this PM is October 11, 2000.**

**The implementation date for this PM is October 11, 2000.**

**These instructions should be implemented within your current operating budget.**

**This PM may be discarded after October 11, 2002.**

**If you have any questions contact Samantha Richardson at 410-786-6940.**