Submitter : **Dr. Wayne Fleischhacker** **Date: 12/28/2007**

Organization : **Union Anesthesia Associates**

Category : **Ambulatory Surgical Center**

Issue Areas/Comments

GENERAL

GENERAL

See Attachment

CMS-1392-FC-62-Attach-1.TXT

#62

December 18, 2007

Mr. Kerry Weems
Administrator
Centers for Medicare and Medicaid Services
Department of Health and Human Services
Attention: MS-1392-FC
Hubert H. Humphrey Building, Room 445-G
200 Independence Avenue, SW
Washington, DC 20201

Re: MS-1392-FC

Dear Mr. Weems:

As a concerned interventional pain management physician I would like to comment on multiple disparities which exist between ASC setting and HOPD setting. These disparities and the CMSs new proposals and classifications will hinder patient access.

I am concerned about status indicator for CPT Codes 72285 and 72295 and non-payable issue which is related to discography. CMS pays separately for radiology portion of discography when it is performed independently in the HOPD setting, however it does not pay separately for the very same service when it is performed independently in the ASC setting. It was our understanding that in spite of significant cuts for int erventional pain management the whole purpose was to apply the standards uniformly but it does not seem so. Discography procedures have two components: an injection portion that is reported by either CPT Code 62290 (Injection procedure for discography, in lumbar spine) or CPT Cod 62291 (Injection procedure for discography in cervical or thoracic spine), and a radiology portion that is reported by either CPT Code 72285 (discography interpretation and supervision in cervical spine) or CPT Code 72295 (discography interpretation and supervision in lumbar spine).

I believe that discography should be a separately payable service in the ASC as it is not treated as a surgical procedure eligible for separate payment under the payment system. This payment policy fails to recognize inequality between multiple settings and importance of these being done in an ASC setting.

The second issue relates to the update to the conversion factor while ASCs are facing losses, hospitals will still have an upper hand with a better update factor. This should be changed where both update factors are the same.

In addition, CMS should delay implementing the payment cap for office-based procedures. The present formula appears to be arbitrary.

To avoid exponential increases in procedures performed in all settings specifically in-office settings, CMS should establish that these procedures should be performed by only well-trained qualified physicians and in accredited office settings, thus creating an accreditation standard for offices to perform interventional procedures. This philosophy may be applied to other settings to simply reduce the overuse.

Thank you for the opportunity to comment on the Final Rule.

Sincerely,

Wayne Fleischhacker, D.O.
13 Old Dutch Road
Warren, NJ 07059

Submitter : **Dr. John Burdine** **Date: 12/30/2007**

Organization : **Th Interventional Pain Management Center**

Category : **Ambulatory Surgical Center**

Issue Areas/Comments

GENERAL

GENERAL

The proposed cuts in reimbursement are going to have a significant impact on our patients access to care. The surgery centers are more cost effective and proficient at performing interventaional pain management procedeures. The essence of your proposal will be to push procedures back in to the hightest cost, least efficient, most dangerous setting available to patients. The hospitals in our area cannot handle the business they are doing now and have made a conscious effort to reduce the outpatient procedural areas. You will pay the highest cost, patients will have significantly longer waits and will be exposed to deadly bacteria when these cuts are instituted. Hospitals are not the safest nor are they the most efficient delivery of health care services. The oldest, sickest and most vulnerable patients deserve better. It appears that the government has succumb to the lobbying and fear monguring of the hospitals. We do not understand how you would think your proposed cuts would improve health care efficiecency It will be quite the contrary. These proposals, once instituted, will be a significant step backwards in health care delivery in America. Instead of relying on the lobbyists, you should ask your doctor.
Respectfully,
J. Michael Burdine, M.D.

Submitter : **Dr. Jerry Berland** **Date: 01/01/2008**

Organization : **American Association of Pediatric Ophthalmologists**

Category : **Physician**

Issue Areas/Comments

GENERAL

GENERAL

I am concerned about fees for CPT code 68816. I perform 100% of these procedures under anesthesia in an ambulatory surgery center under general anesthesia in children under the age of 5 years.This procedure can not be done in an office setting without general anesthesia in children. That would be very unsafe. It takes twice as much time to perform this procedure than nasolacrimal duct probing. This procedure is typically performed in children whom simple probing does not work. It is less costly to perform the procedure in an ASC than in the hospital. If the reimbursement is reduced for ASCs, then you incentise the practitioner to perform the procedure in the more expensive hospital setting. The balloon catheter costs $306 to the ASC. The proposed facility fee for the whole procedure is $434. This makes it impossible for me or the ASC to economically treat patients in an ambulatory setting. I recommend you set the facility fee for the ASC at the same rate as the hospital at $1193.03. I recommend that surgeon fees rise to $215 from $205. The increase in physician practice overhead and cost of living for employees warrants an minor increase in fees.
Any questions please contact me at :

Jerry E Berland MD
Thomas Eye Group
5671 Peachtree Dunwoody Rd
Ste 440
Atlanta Ga 30342

Submitter : **Mr. John Rasmussen** **Date: 01/02/2008**

Organization : **Mr. John Rasmussen**

Category : **Individual**

Issue Areas/Comments

GENERAL

GENERAL

I am a patient who relies on interventional pain management physicians for my care. I am writing to you because of my grave concern for the future of patient access to this type of care. Based on my knowledge of the planned reduction in reimbursement, it is my firmly held belief that, unless Congress takes action soon, seniors will lose access to interventional pain management. If past actions are any guide, it is certain that Medicaid and third party payors will follow Medicare, cutting their reimbursement for these valuable services as well.

As a concerned patient, I write urging you to take steps to stop the pending physician reimbursement cuts and the devastating ASC cuts for interventional pain management procedures. I am exremely disapointed that Congress does not appear to be willing to take action prior to the holiday recess. This inaction could very well cause seniors to lose access to interventional pain management.

I understand that the physician payment fix should be for at least two years with a change in the law rather than yearly fix which will accumulate the cuts in the third year to 20% at one time. I also support modest cuts for Medicare Advantage Plan; however, we do not support complete elimination of Medicare Advantage Plans.This is especially true in Illinois as malpractice costs are rising for interventional pain management physicians. Based on these statistics it is obvious that physicians will have an extremely difficult time continuing to practice and offer the care that they are currently.

A second issue of concern relates to ambulatory surgery center payment cuts for interventional pain management procedures. This is one of the most effective locations for these procedures to be performed, along with physician offices. Since the Government has decided to reduce payments to offices and ASCs, we will be forced to return to the hospital setting. This is, without a doubt, a less effective, more inefficient, and more expensive setting. It appears to be criminal to punish both of the most effective interventional pain management settings, namely the offices, and ASCs, with draconian cuts. If this is allowed to stand, it will significantly affect our access to these valuable services which have significantly improved our quality of life.

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Please act immediately, as these issues are extremely important to the American public, namely your voters. I m very much interested in hearing your response and hoping for your support on these important issues.

Once again, thank you for all your help.
For more information visit www.asipp.org

Print Name: _____

Signature: _____ Date: _____

Email address: _____

Submitter : **Ms. Joyce McCord** **Date: 01/02/2008**

Organization : **Ms. Joyce McCord**

Category : **Individual**

Issue Areas/Comments

GENERAL

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Print Name: _____

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Submitter : **Mr. Thomas Ledwell** **Date: 01/02/2008**

Organization : **Mr. Thomas Ledwell**

Category : **Individual**

Issue Areas/Comments

GENERAL

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Print Name: _____

Signature: _____ Date: _____

Email address: _____

Submitter : **Mr. Jay Jones** **Date: 01/02/2008**

Organization : **Mr. Jay Jones**

Category : **Individual**

Issue Areas/Comments

GENERAL

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Print Name: _____

Signature: _____ Date: _____

Email address: _____

Submitter : **Mr. Fernando Canta** **Date: 01/02/2008**

Organization : **Mr. Fernando Canta**

Category : **Individual**

Issue Areas/Comments

GENERAL

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Print Name: _____

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Submitter : Ms. Lilia S. DeLeon **Date:** 01/02/2008

Organization : Ms. Lilia S. DeLeon

Category : Individual

Issue Areas/Comments

GENERAL

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Submitter : Ms. Cynthia Schumacher **Date:** 01/02/2008

Organization : Ms. Cynthia Schumacher

Category : Individual

Issue Areas/Comments

GENERAL

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Print Name: _____

Signature: _____ Date: _____

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Submitter : **Mr. Thomas Kirchner** **Date: 01/02/2008**

Organization : **Mr. Thomas Kirchner**

Category : **Individual**

Issue Areas/Comments

GENERAL

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Signature: _____ Date: _____

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Submitter : **Mr. Danny Stoppenbach** **Date: 01/02/2008**

Organization : **Mr. Danny Stoppenbach**

Category : **Individual**

Issue Areas/Comments

GENERAL

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Print Name: _____

Signature: _____ Date: _____

Email address: _____

Submitter : **Mr. Jim Doohan** **Date: 01/02/2008**

Organization : **Mr. Jim Doohan**

Category : **Individual**

Issue Areas/Comments

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Print Name: _____

Signature: _____ Date: _____

Email address: _____

Submitter : **Mr. Steve Porter** **Date: 01/02/2008**

Organization : **Mr. Steve Porter**

Category : **Individual**

Issue Areas/Comments

GENERAL

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Submitter : **Mr. Allen Pirtle** **Date: 01/02/2008**

Organization : **Mr. Allen Pirtle**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Mr. Greg Gandella** **Date: 01/02/2008**

Organization : **Mr. Greg Gandella**

Category : **Individual**

Issue Areas/Comments

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Submitter : Ms. Lydia Klus **Date:** 01/02/2008

Organization : Ms. Lydia Klus

Category : Individual

Issue Areas/Comments

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Submitter : **Ms. Catherine Ann Bellin** **Date: 01/02/2008**

Organization : **Ms. Catherine Ann Bellin**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Ms. Mary Lou Johnston** **Date: 01/02/2008**

Organization : **Ms. Mary Lou Johnston**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Mr. John Yelton** **Date: 01/02/2008**

Organization : **Mr. John Yelton**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Ms. Sylvia Willis** **Date: 01/02/2008**

Organization : **Ms. Sylvia Willis**

Category : **Individual**

Issue Areas/Comments

GENERAL

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Submitter : **Ms. Sabrina Visone** **Date: 01/02/2008**

Organization : **Ms. Sabrina Visone**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Mrs. Adele Reedy** **Date: 01/02/2008**

Organization : **Mrs. Adele Reedy**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Ms. Janet M. Tellstrom** **Date: 01/02/2008**

Organization : **Ms. Janet M. Tellstrom**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Mr. David McCarthy** **Date: 01/02/2008**

Organization : **Mr. David McCarthy**

Category : **Individual**

Issue Areas/Comments

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Print Name: _____

Signature: _____ Date: _____

Email address: _____

Submitter : **Mr. Robert J. David** **Date: 01/02/2008**

Organization : **Mr. Robert J. David**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Ms. Gail Sandzimier** **Date: 01/02/2008**

Organization : **Ms. Gail Sandzimier**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Ms. Sherrie Washington** **Date: 01/02/2008**

Organization : **Ms. Sherrie Washington**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Ms. Jane Earl** **Date: 01/02/2008**

Organization : **Ms. Jane Earl**

Category : **Individual**

Issue Areas/Comments

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Submitter : Ms. Cynthia L. Rabe **Date:** 01/02/2008

Organization : Ms. Cynthia L. Rabe

Category : Individual

Issue Areas/Comments

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Submitter : **Ms. Patricia Moscato** **Date: 01/02/2008**

Organization : **Ms. Patricia Moscato**

Category : **Individual**

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Submitter : **Ms. Cheryl Bradford** **Date: 01/02/2008**

Organization : **Ms. Cheryl Bradford**

Category : **Individual**

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Submitter : **Mr. Thomas Falk** **Date: 01/02/2008**

Organization : **Mr. Thomas Falk**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Ms. Christina Scharneco** **Date: 01/02/2008**

Organization : **Ms. Christina Scharneco**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Ms. Joan Weiler** **Date: 01/02/2008**

Organization : **Ms. Joan Weiler**

Category : **Individual**

Issue Areas/Comments

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Submitter : Ms. Sherry Kirkava **Date:** 01/02/2008

Organization : Ms. Sherry Kirkava

Category : Individual

Issue Areas/Comments

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Print Name: _____

Signature: _____ Date: _____

Email address: _____

Submitter : **Mr. Daniel Barkman** **Date: 01/02/2008**

Organization : **Mr. Daniel Barkman**

Category : **Individual**

Issue Areas/Comments

GENERAL

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Submitter : **Ms. Mary Paulausky** **Date: 01/02/2008**

Organization : **Ms. Mary Paulausky**

Category : **Individual**

Issue Areas/Comments

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Submitter : Mr. Leroy Savage **Date:** 01/02/2008

Organization : Mr. Leroy Savage

Category : Individual

Issue Areas/Comments

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Submitter : **Ms. Moira O'Neill** **Date: 01/02/2008**

Organization : **Ms. Moira O'Neill**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Mr. Ryan Sharkey** **Date: 01/02/2008**

Organization : **Mr. Ryan Sharkey**

Category : **Individual**

Issue Areas/Comments

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Submitter : Ms. Carol C. Giedraitis **Date:** 01/02/2008

Organization : Ms. Carol C. Giedraitis

Category : Individual

Issue Areas/Comments

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Submitter : **Mr. Frank Thomas** **Date: 01/02/2008**

Organization : **Mr. Frank Thomas**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Ms. Kathleen M. Mitchell** **Date: 01/02/2008**

Organization : **Ms. Kathleen M. Mitchell**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Ms. Patty Allen** **Date: 01/02/2008**

Organization : **Ms. Patty Allen**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Mr. Ward Ruske** **Date: 01/02/2008**

Organization : **Mr. Ward Ruske**

Category : **Individual**

Issue Areas/Comments

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Submitter : **Ms. Kim Marr** **Date: 01/02/2008**

Organization : **Ms. Kim Marr**

Category : **Individual**

Issue Areas/Comments

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