

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Medicare & Medicaid Services**

**[CMS-1562-N]**

**Medicare Program; Meeting of the Practicing Physicians  
Advisory Council, March 9, 2009**

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Notice.

**SUMMARY:** This notice announces a quarterly meeting of the Practicing Physicians Advisory Council (the Council). The Council will meet to discuss certain proposed changes in regulations and manual instructions related to physicians' services, as identified by the Secretary of Health and Human Services. This meeting is open to the public.

**DATES:** Meeting Date: Monday, March 9, 2009, from 8:30 a.m. to 5 p.m. e.d.t.

Deadline for Registration without Oral Presentation:  
Thursday, March 5, 2009, 12 noon, e.s.t.

Deadline for Registration of Oral Presentations: Friday,  
February 20, 2009, 12 noon, e.s.t.

Deadline for Submission of Oral Remarks and Written

Comments: Wednesday, February 25, 2009, 12 noon, e.s.t.

Deadline for Requesting Special Accommodations: Monday,  
March 2, 2009, 12 noon, e.s.t.

**ADDRESSES:** Meeting Location: The meeting will be held in Room 705A, in the Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201.

Submission of Testimony: Testimonies should be mailed to Kelly Buchanan, Designated Federal Official (DFO), Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Mail stop C4-13-07, Baltimore, MD 21244-1850, or contact the DFO via e-mail at [PPAC\\_hhs@cms.hhs.gov](mailto:PPAC_hhs@cms.hhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Kelly Buchanan, DFO, (410) 786-6132, or e-mail [PPAC\\_hhs@cms.hhs.gov](mailto:PPAC_hhs@cms.hhs.gov). News media representatives must contact the CMS Press Office, (202) 690-6145. Please refer to the CMS Advisory Committees' Information Line (1-877-449-5659 toll free), (410) 786-9379 local) or the Internet at <http://www.cms.hhs.gov/home/regsguidance.asp> for additional information and updates on committee activities.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

In accordance with section 10(a) of the Federal Advisory Committee Act, this notice announces the quarterly meeting of the Practicing Physicians Advisory Council (the Council). The Secretary of Health and Human Services (the Secretary) is mandated by section 1868(a)(1) of the Social Security Act (the Act) to appoint a Practicing Physicians

Advisory Council based on nominations submitted by medical organizations representing physicians. The Council meets quarterly to discuss certain proposed changes in regulations and manual instructions related to physician services, as identified by the Secretary. To the extent feasible and consistent with statutory deadlines, the Council's consultation must occur before **Federal Register** publication of the proposed changes. The Council submits an annual report on its recommendations to the Secretary and the Administrator of the Centers for Medicare & Medicaid Services (CMS) not later than December 31 of each year.

The Council consists of 15 physicians, including the Chair. Members of the Council include both participating and nonparticipating physicians, and physicians practicing in rural and underserved urban areas. At least 11 members of the Council must be physicians as described in section 1861(r)(1) of the Act; that is, State-licensed doctors of medicine or osteopathy. The remaining 4 members may include dentists, podiatrists, optometrists, and chiropractors. Members serve for overlapping 4-year terms.

Section 1868(a)(2) of the Act provides that the Council meet quarterly to discuss certain proposed changes in regulations and manual issuances that relate to

physicians' services, identified by the Secretary. Section 1868(a)(3) of the Act provides for payment of expenses and per diem for Council members in the same manner as members of other advisory committees appointed by the Secretary. In addition to making these payments, the Department of Health and Human Services and CMS provide management and support services to the Council. The Secretary will appoint new members to the Council from among those candidates determined to have the expertise required to meet specific agency needs in a manner to ensure appropriate balance of the Council's membership.

The Council held its first meeting on May 11, 1992. The current members are: John E. Arradondo, M.D., MPH; Vincent J. Bufalino, M.D., Chairperson; Joseph A. Giaimo, D.O.; Pamela A. Howard, M.D.; Roger L. Jordan, O.D.; Janice A. Kirsch, M.D.; Tye J. Ouzounian, M.D.; Gregory J. Przybylski, M.D.; Jeffrey A. Ross, DPM, M.D.; Jonathan E. Siff, M.D., MBA; Fredrica E. Smith, M.D.; Arthur D. Snow, Jr., M.D.; M. Leroy Sprang, M.D.; Christopher J. Standaert, M.D.; and Karen S. Williams, M.D.

## **II. Meeting Format and Agenda**

The meeting will commence with the Council's Executive Director providing a status report, and the CMS responses to the recommendations made by the Council at the December 8, 2008 meeting, as well as prior meeting recommendations. Additionally, an update will be provided on the Physician Regulatory Issues Team. In accordance with the Council charter, we are requesting assistance with the following agenda topics:

- Value-Based Purchasing
- 9<sup>th</sup> Scope of Work
- Recovery Audit Contractors (RAC) Update
- Local Coverage Determination Process
- National Coverage Determination Process
- Medicare Appeals Process

For additional information and clarification on these topics, contact the DFO as provided in the "FOR FURTHER INFORMATION CONTACT" section of this notice. Individual physicians or medical organizations that represent physicians wishing to present a 5-minute oral testimony on agenda issues must register with the DFO by the date listed in the "DATES" section of this notice. Testimony is limited to agenda topics only. The number of oral testimonies may be limited by the time available. A written copy of the presenter's oral remarks must be

submitted to the DFO for distribution to Council members for review before the meeting by the date listed in the "DATES" section of this notice. Physicians and medical organizations not scheduled to speak may also submit written comments to the DFO for distribution by the date listed in the "DATES" section of this notice.

### **III. Meeting Registration and Security Information**

The meeting is open to the public, but attendance is limited to the space available. Persons wishing to attend this meeting must register by contacting the DFO at the address listed in the "ADDRESSES" section of this notice or by telephone at the number listed in the "FOR FURTHER INFORMATION CONTACT" section of this notice by the date specified in the "DATES" section of this notice.

Since this meeting will be held in a Federal Government Building, the Hubert H. Humphrey Building, Federal security measures are applicable. In planning your arrival time, we recommend allowing additional time to clear security. To gain access to the building, participants will be required to show a government-issued photo identification (for example, driver's license, or passport), and must be listed on an approved security list before persons are permitted entrance. Persons not registered in advance will not be permitted into the Hubert

H. Humphrey Building and will not be permitted to attend the Council meeting.

All persons entering the building must pass through a metal detector. In addition, all items brought to the Hubert H. Humphrey Building, whether personal or for the purpose of presentation, are subject to inspection. We cannot assume responsibility for coordinating the receipt, transfer, transport, storage, set-up, safety, or timely arrival of any personal belongings or items used for the purpose of presentation.

Individuals requiring sign language interpretation or other special accommodations must contact the DFO via the contact information specified in the "FOR FURTHER INFORMATION CONTACT" section of this notice by the date listed in the "DATES" section of this notice.

**Authority:** (Section 1868 of the Social Security Act  
(42 U.S.C. 1395ee) and section 10(a) of Pub. L. 92-463  
(5 U.S.C. App. 2, section 10(a)).)

**Dated:** January 15, 2009

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**Kerry Weems,**  
Acting Administrator,  
Centers for Medicare &  
Medicaid Services.

**BILLING CODE: 4120-01-P**