

<b>CMS Manual System</b>	<b>Department of Health &amp; Human Services (DHHS)</b>
<b>Pub 100-04 Medicare Claims Processing</b>	<b>Centers for Medicare &amp; Medicaid Services (CMS)</b>
<b>Transmittal 2807</b>	<b>Date: November 6, 2013</b>
	<b>Change Request 8407</b>

**NOTE: This Transmittal is no longer sensitive and is being re-communicated January 10, 2014 The Transmittal Number, date of Transmittal, and all other information remains the same. This instruction may now be posted to the Internet.**

**SUBJECT: Therapy Cap Values for Calendar Year (CY) 2014**

**I. SUMMARY OF CHANGES:** The purpose of this Change Request (CR) is to describe the policy for outpatient therapy caps for CY 2014. This Recurring Update Notification can be found in Pub 100-04 Chapter 5, Section 10.

**EFFECTIVE DATE: January 1, 2014**

**IMPLEMENTATION DATE: January 6, 2014**

*Disclaimer for manual changes only: The revision date and transmittal number apply only to red italicized material. Any other material was previously published and remains unchanged. However, if this revision contains a table of contents, you will receive the new/ revised information only, and not the entire table of contents.*

**II. CHANGES IN MANUAL INSTRUCTIONS:** (N/A if manual is not updated)

R=REVISED, N=NEW, D=DELETED-*Only One Per Row.*

<b>R/N/D</b>	<b>CHAPTER / SECTION / SUBSECTION / TITLE</b>
N/A	N/A

**III. FUNDING:**

**For Fiscal Intermediaries (FIs), Regional Home Health Intermediaries (RHHIs) and/or Carriers:**  
Not Applicable.

**For Medicare Administrative Contractors (MACs):**

The Medicare Administrative Contractor is hereby advised that this constitutes technical direction as defined in your contract. CMS does not construe this as a change to the MAC statement of Work. The contractor is not obliged to incur costs in excess of the amounts allotted in your contract unless and until specifically authorized by the Contracting Officer. If the contractor considers anything provided, as described above, to be outside the current scope of work, the contractor shall withhold performance on the part(s) in question and immediately notify the Contracting Officer, in writing or by e-mail, and request formal directions regarding continued performance requirements.

**IV. ATTACHMENTS:**

**Recurring Update Notification**

*\*Unless otherwise specified, the effective date is the date of service.*

# Attachment - Recurring Update Notification

Pub. 100-04	Transmittal: 2807	Date: November 6, 2013	Change Request: 8407
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## I. GENERAL INFORMATION

**A. Background:** The Balanced Budget Act of 1997, P.L. 105-33, Section 4541(c) applies, per beneficiary, annual financial limitations on expenses considered incurred for outpatient therapy services under Medicare Part B, commonly referred to as “therapy caps.” The therapy caps are updated each year based on the Medicare Economic Index. An exceptions process to the therapy caps for reasonable and medically necessary services was required by section 5107 of the Deficit Reduction Act of 2005. The exceptions process for the therapy caps has been continuously extended several times through subsequent legislation. Most recently, section 603(a) of the American Taxpayer Relief Act of 2012 extended the therapy caps exceptions process through December 31, 2013.

**B. Policy:** Therapy caps for CY 2014 will be \$1,920.

## II. BUSINESS REQUIREMENTS TABLE

*"Shall" denotes a mandatory requirement, and "should" denotes an optional requirement.*

Number	Requirement	Responsibility											
		A/B MAC			D M E M A C	F I R E R	C A R I E R	R H I	Shared-System Maintainers				Other
		A	B	H H H					F I S S	M C S	V M S	C W F	
8407.1	Medicare Systems shall update the allowed dollar amount for CY 2014 outpatient therapy limits to \$1,920 for physical therapy and speech-language pathology combined and \$1,920 for occupational therapy.	X		X				X	X	X		X	
8407.2	Medicare contractors shall update the dollar amounts shown in the existing MSN message 17.18 and 17.19 with \$1,920.								X	X			

## III. PROVIDER EDUCATION TABLE

Number	Requirement	Responsibility
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		A/B MAC			D M E M A C	F I M A C	C A R R I E R	R H H I	Other
		A	B	H H H					
8407.3	MLN Article: A provider education article related to this instruction will be available at <a href="http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNMattersArticles/">http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNMattersArticles/</a> shortly after the CR is released. You will receive notification of the article release via the established "MLN Matters" listserv. Contractors shall post this article, or a direct link to this article, on their Web sites and include information about it in a listserv message within one week of the availability of the provider education article. In addition, the provider education article shall be included in the contractor's next regularly scheduled bulletin. Contractors are free to supplement MLN Matters articles with localized information that would benefit their provider community in billing and administering the Medicare program correctly.	X	X	X				X	

#### IV. SUPPORTING INFORMATION

**Section A: Recommendations and supporting information associated with listed requirements: N/A**

*"Should" denotes a recommendation.*

X-Ref Requirement Number	Recommendations or other supporting information:

**Section B: All other recommendations and supporting information:** The exceptions process for medically necessary services that exceed the therapy caps is in effect until December 31, 2013. If Congress extends the therapy cap exceptions process, contractors will be sent notice of the extension of the therapy caps exceptions process in the form of a change request or Technical Direction Letter. The public will receive notice of changes to the therapy cap amount and, if applicable, to the exceptions process through MedLearn articles, MSN, and/or the CMS Web site [www.cms.gov/TherapyServices](http://www.cms.gov/TherapyServices).

#### V. CONTACTS

**Pre-Implementation Contact(s):** Simone Dennis, [simone.dennis@cms.hhs.gov](mailto:simone.dennis@cms.hhs.gov) (Policy), Wil Gehne, [Wilfried.Gehne@cms.hhs.gov](mailto:Wilfried.Gehne@cms.hhs.gov) (Institutional Claims), Brian Reitz, [Brian.Reitz@cms.hhs.gov](mailto:Brian.Reitz@cms.hhs.gov) (Professional Claims)

**Post-Implementation Contact(s):** Contact your Contracting Officer's Representative (COR) or Contractor Manager, as applicable.

#### VI. FUNDING

**Section A: For Fiscal Intermediaries (FIs), Regional Home Health Intermediaries (RHHIs), and/or Carriers:**

Not Applicable.

**Section B: For Medicare Administrative Contractors (MACs):**

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