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Sent: Tuesday, June 9, 2020 8:46 AM

To: McCone, Brett <bmccone@mhaonline.org>

Cc: Critical Inquiries <CriticalInquiries@novitas-solutions.com>

Subject: RE: [EXTERNAL] RE: L146451 Question - Protecting Access to Medicare Act (PAMA) applicability to Maryland's hospitals

Good Morning,

This is in follow up to my phone message this morning and in response to your question regarding the applicability of the PAMA program to Maryland hospitals.

A response was received from CMS regarding this topic. The response stated: “While hospital outpatient departments are included as an applicable setting for the purposes of the Medicare AUC program, the statute further requires that claims be paid under an applicable payment system. Since Maryland hospitals that are subject to the Maryland Health Services Cost Review Commission (HSCRC) are not paid under the hospital outpatient prospective payment system, CMS believes that advanced diagnostic imaging furnished at one of these hospitals’ outpatient departments would not be subject to consultation with a qualified CDSM and would not be required to append consultation information on claims. CMS is currently trying to determine how to identify the related professional claims as they too would not be required to append consultation information to claims.”

I hope this information is helpful. If I can be of further assistance with this inquiry, please feel free to contact me.

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MHA November 20, 2019 email to Novitas, Critical Inquires Unit

Good afternoon,

On behalf of Maryland’s hospitals, I have a question about the applicability of The Protecting Access to Medicare Act (PAMA) rules.

Maryland’s hospitals are not subject to Medicare’s Outpatient Prospective Payment System (OPPS). The PAMA, Section 218(b), established a new program [Appropriate Use Criteria for Advanced Diagnostic Imaging (AUC)] to increase the rate of appropriate advanced diagnostic imaging services provided to Medicare beneficiaries. The guidance below specifically references “hospital outpatient prospective payment system.” **Will you please confirm if the requirements DO or DO NOT** apply to hospital outpatient services in Maryland?

Thank you in advance. If you have any questions, please call me at 410 540 5060.
Brett McCone

This program impacts all physicians and practitioners (as defined in 1861(r) or described in 1842(b)(18)(C)), that order advanced diagnostic imaging services and physicians, practitioners and facilities that furnish advanced diagnostic imaging services in a physician's office, hospital outpatient department (including the emergency department), an ambulatory surgical center or an independent diagnostic testing facility (IDTF) and whose claims are paid under the physician fee schedule, hospital outpatient prospective payment system or ambulatory surgical center payment system.