



FLORIDA SOCIETY OF CLINICAL ONCOLOGY
FLASCO BLAST –December 22, 2009
FLASCO WEBSITE: www.flasco.org
FLASCO CLINICAL TRIALS NETWORK WEBSITE: www.fctn.org

MESSAGE FROM THE PRESIDENT: Gerald Robbins, MD
HAPPY HOLIDAYS!

LEGISLATIVE UPDATE: Erin Dunbar, MD, Chairman

The Senate is expected to pass its version of health care reform by Christmas Eve. The AMA has just endorsed the bill.

Among other disconcerting provisions for community oncology, the final Senate bill has eliminated a provision to avert the 21.2% Medicare payment cut for 2010. So, although there is a 2-month patch in place, without additional legislation Medicare payments will be cut 21.2% effective March 1, 2010.

Go to the COA website at www.communityoncology.org for more information on how to get involved in the health care reform debate.

CMS UPDATES:

The Centers for Medicare & Medicaid Services (CMS) has posted the January 2010 ASP and Not Otherwise Classified (NOC) pricing files and crosswalks. The ASP pricing files for October 2009 and January 2009 have also been updated. All are available for download at: <http://www.cms.hhs.gov/McrPartBDrugAvgSalesPrice/> (see left menu for year-specific links).

Information Regarding the Holding of Claims for Services Paid Under the 2010 Medicare Physician Fee Schedule

To the extent possible and in consideration of possible legislative changes, the Centers for Medicare & Medicaid Services (CMS) is working with Congress, health care providers, and the beneficiary community to avoid disruption in the delivery of health care services and payment of claims for physicians, non-physician practitioners, and other providers of services paid under the Medicare physician fee schedule, beginning January 1, 2010. In this regard, CMS has instructed its contractors to hold claims containing services paid under the Medicare Physician Fee Schedule (MPFS) for the first 10 business days of January (January 1 through January 15) for 2010 dates of service. This should have minimum impact on provider cash flow because, under current law, clean electronic claims are not paid any sooner than 14 calendar days (29 days for paper claims) after the date of receipt. Meanwhile, all claims for services delivered on or before December 31, 2009, will be processed and paid under normal procedures.

After 10 business days, contractors will begin releasing held claims into processing under the fee schedule which implements current law. This, of course, could result in claims being processed with the negative 21.2 percent update. If a new law is enacted which changes the negative update effective January 1, CMS will correctly process claims under the new law and, if necessary, CMS is prepared to automatically reprocess most of those claims which have already been processed at the lower rate.

Under the Medicare statute, Medicare payments to physicians and other affected providers are based upon the lesser of the actual charge or the MPFS amount. Providers who submit charges that are greater than the negative 2010 MPFS will automatically have their claims reprocessed. Physicians who submit charges that are equal to or less than the 2010 MPFS amount will need to request an adjustment. Submitted charges on claims cannot be altered without a request from the physician/provider.

To the extent possible, providers may hold claims in-house until it becomes clearer as to whether new legislation will be enacted or until cash flow becomes problematic. This will reduce the need for providers to reconcile two payments (i.e.,

the initial claim and the reprocessed claim), and it will simplify provider billings of beneficiary coinsurance and payment calculations for payers which are secondary to Medicare.

CMS has extended the 2010 Annual Participation Enrollment Program end date from January 31, 2010, to **March 17, 2010** – therefore, the enrollment period now runs from November 13, 2009, through March 17, 2010.

The effective date for any Participation status change during the extension, however, remains January 1, 2010, and will be in force for the entire year.

Contractors will accept and process any Participation elections or withdrawals, made during the extended enrollment period that are received or post-marked on or before March 17, 2010.

In addition, be on the alert for more information about other legislative provisions which may affect you.

2011 Physician Quality Reporting Initiative Listening Session

The Centers for Medicare & Medicaid Services (CMS) is hosting a Listening Session on the 2011 Physician Quality Reporting Initiative (PQRI). The purpose of this listening session is to discuss and solicit feedback on the individual quality measures and measures groups being considered for possible inclusion in the proposed set of quality measures for use in the 2011 PQRI program and key components of the design of the PQRI program, such as possible reporting mechanisms, reporting periods, criteria for satisfactory reporting, the group practice reporting option, and public reporting of 2011 PQRI data.

A summary of the measures and measures groups and other background materials for the listening session will be posted on the PQRI section at www.cms.hhs.gov/PQRI on the CMS website in the coming weeks.

The listening session will be held on **February 2, 2010 from 10 a.m. to 4:30 p.m. (EST)**. Anyone interested in attending the meeting or participating by teleconference must register by completing the online registration at <http://www.usqualitymeasures.org> on the internet. Registration for this event opens on Monday, December 21. In order to participate in the meeting, registration must be completed no later than 5 pm EST on January 22, 2010.

For more information, please see the Federal Register meeting notice posted at <http://edocket.access.gpo.gov/2009/pdf/E9-30122.pdf> on the Internet.

H.H.S. UPDATES

Medicare Fraud Strike Force Expands Operations into Brooklyn, N.Y.; Tampa, Fla.; and Baton Rouge, La.

There are now three new Medicare Fraud Strike Force teams in Baton Rouge, Tampa, and in Brooklyn. Thirty people have been charged in Miami, Detroit and Brooklyn for their alleged roles in schemes to submit more than \$61 million in false Medicare claims as part of the continuing operation of the Medicare Fraud Strike Force.

Five indictments were unsealed in Miami, Detroit and Brooklyn, following the arrests of 25 individuals in Miami, four individuals in Detroit and one in Brooklyn. In addition, Strike Force agents executed four search warrants at businesses and homes in Coconut Creek, Fla.; Miami and Brooklyn.

In Miami, 15 individuals, including doctors and nurses, are charged in connection with fraudulent claims to Medicare for home health services. In another case in Miami, individuals are charged for their various roles in running a medical clinic that purported to provide injection and infusion treatments to HIV/AIDS patients and submitted fraudulent claims to Medicare for such services, which were often medically unnecessary and/or never provided.

MLN MATTERS PDATES:

New:

MM6740 - Revisions to Consultation Services Payment Policy

This article pertains to Change Request (CR) 6740, which alerts physicians and non-physician practitioners that effective January 1, 2010, the Current Procedural Terminology (CPT) consultation codes (ranges 99241-99245 and 99251-99255) are no longer recognized for Medicare Part B payment. Effective for services furnished on or after January 1, 2010, physicians and non-physician practitioners should code a patient evaluation and management visit with E/M codes that

represent where the visit occurs and that identify the complexity of the visit performed. For more information, please view the article located at: <http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6740.pdf> on the CMS website.

NOTE: Also see below for Revised Article

MM6744 – Implementation of the Health Insurance Portability and Accountability Act (HIPAA) Version 5010 Only in Jurisdiction 12 (J12) Parts A and B (A/B) Medicare Administrative Contractor (MAC)
<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6744.pdf>

MM6751 – January 2010 Update of the Hospital Outpatient Prospective Payment System (OPPS)
<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6751.pdf>

MM6742 – Claim Adjustment Reason Code (CARC), Remittance Advice Remark Code (RARC), and Medicare Remit Easy Print (MREP) Update <http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6742.pdf>

Revised:

MM6740 – Revisions to Consultation Services Payment Policy
<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6740.pdf>

MM6540 – Tracking the Hospice Attending Physician’s National Provider Identifier (NPI) for Validating Hospice Part B Payments <http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6540.pdf>

MM6421 – Expansion of the Current Scope of Editing for Ordering/Referring Providers for Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Suppliers' Claims Processed by Durable Medical Equipment Medicare Administrative Contractors (DME MACs)
<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6421.pdf>

MM6417 – Expansion of the Current Scope of Editing for Ordering/Referring Providers for claims processed by Medicare Carriers and Part B Medicare Administrative Contractors (MACs)
<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6417.pdf>

MM6723 – Claim Status Category Code and Claim Status Code Update
<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM6723.pdf>

PROGRAM COMMITTEE UPDATES: Jose Lutzy, MD, Chairman

Clinical Breakthroughs & Challenges in Hematologic Malignancies

We are pleased to announce that FLASCO is co-sponsoring with Moffitt Cancer Center a conference on Clinical Breakthroughs & Challenges in Hematologic Malignancies, which will be held on **January 16, 2010** at the Grand Floridian Resort, Lake Buena Vista - For more information, call (813) 745-1247 or e-mail:

Melissa.Pearson@MOFFITT.org

2010 PA/NP Conference:

We are pleased to announce that FLASCO will sponsor its Second Annual Conference for PAs/NPs on March 26, 2010, in Miami. Special thanks are extended to Dayne Alonso, PA-C and Michele Taffaro Neskey, RN for agreeing to serve as Co-Chairmen of the Workgroup to plan this Conference.

EDUCATIONAL OPPORTUNITIES:

Genomic Health --Oncotype Dx Post SABCS Data Review

Please call 1 866 984 5109 to Pre Register Or email kpecquet@envisioncomm.net

January 5th, 2010 8PM EST

Conference number 1 888 373 5705 Code 367860

Meeting URL <http://campaign.envisioncomm.net/genomichealth/webcast/01052010>

January 7th, 2010 12PM EST

Conference number 1 888 732 6202 Code 181313

Meeting URL <http://campaign.envisioncomm.net/genomichealth/webcast/01072010>

January 14th, 2010 9AM EST

Conference number 1 888 373 5705 Code 283977

Meeting URL <http://campaign.envisioncomm.net/genomichealth/webcast/01142010>

Teleconference: Medicare Physician Payment Update

Centocor Ortho Biotech Inc. is pleased to invite you and your colleagues to participate in an informational teleconference entitled “Medicare Physician Payment Update.” The goal of this session will be to provide physicians and their staff with a concise overview of key issues contained within the 2010 final rule on Medicare physician office payment. These issues include:

- Overview of the 2010 final physician payment rule;
- Update on the sustainable growth rate formula and changes; and
- Update on regulatory changes to reimbursement for physician services.

This session, approximately 30 minutes in length, will be hosted by Akin Gump Strauss Hauer & Feld LLP, and The Resource Group, and will be offered at a variety of times for your scheduling convenience.

Teleconference Schedule

Date	Time (Eastern time)
December 7	5:00 pm
December 8	8:00 am
December 9	11:00 am
December 10	12:00 pm
December 11	3:00 pm
December 14	8:00 pm
December 15	10:00 am
December 16	9:00 am
December 17	10:00 am

Date	Time (Eastern time)
December 21	5:00 pm
December 22	8:00 am
December 23	3:00 pm
December 28	3:00 pm
December 29	2:00 pm
January 5	8:00 pm
January 6	12:00 pm
January 7	3:00 pm
January 8	4:00 pm

To sign up to participate in a teleconference, please call Colleen Flanders at Akin Gump at 202-416-5064. Colleen will provide you with a toll-free call-in number and pass code, and will send you by email or fax the slide deck that will be presented during the teleconference.

This document is presented for informational purposes only and is not intended to provide reimbursement or legal advice. Laws, regulations, and policies concerning reimbursement are complex and are updated frequently. While we have made an effort to be current as of the issue date of this document, the information may not be as current or comprehensive when you view it. In addition, this information does not represent any statement, promise or guarantee by Centocor Ortho Biotech Inc. about coverage, levels of reimbursement, payment or charge. Please consult with your payer organization(s) for local or actual coverage and reimbursement policies and determination processes. Please consult with your counsel or reimbursement specialist for any reimbursement or billing questions specific to your institution.

BUSINESS Q & A: (Source: The Phipps Wealth Management Group)

Q. A Boca Raton FLASCO member asked us -“With interest rates at all time lows can I expect this to be reflected in any borrowing I choose to do through you?”

A. Assuming you have a good credit rating, ABSOLUTELY.

For more information you may contact: 561-276-1635 Direct - 877-276-1635 Toll Free – fax: 561-922-3275 - E-mail: jeffrey_phippsr@ml.com - <http://fa.ml.com/PhippsGroup/>

CORPORATE MEMBERSHIP/SPONSORSHIP: (January 1 – December 31, 2009)

FLASCO Members extend a big thanks to all of our 2009 Corporate Members/Sponsors (Companies listed below have either paid 2009 dues or have submitted letters of intent)

PLATINUM

AMGEN
Bayer/Onyx
Cephalon Oncology
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Oncology Supply/ION
Sanofi-Aventis
Celgene
Eisai, Inc.
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Genomic Health
Wyeth
Roche
Millennium
Allos Therapeutics, Inc.
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OSI Pharmaceuticals
US Oncology

BRONZE

Genzyme

FLASCO MEETINGS:

March 5-6, 2010 – FLASCO Spring Meeting and Annual Session – Tampa Airport Marriott Hotel

March 26, 2010 – PA/NP Conference – Miami

November 5-6, 2010 – FLASCO Fall Meeting – Miami

FLASCO CO-SPONSORED MEETINGS:

January 16, 2010 - Clinical Breakthroughs & Challenges in Hematologic Malignancies – Grand Floridian Resort – Lake Buena Vista - For more information, call (813) 745-1247 or e-mail: Melissa.Pearson@MOFFITT.org

OTHER MEETINGS/WEBCASTS

December 10 - 13, 2009 -

San Antonio Breast Cancer Symposium (SABCS) San Antonio, TX

Feb 25-27, 2010 -

American College of Radiation Oncology Annual Meeting – Lake Buena Vista, Fl

March 17-20, 2010 -

ACCC's 36th Annual National Meeting - -Baltimore Marriott Waterfront

FLASCO Contact Info:

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