

Reimbursement for '09 higher than proposed

Pamela Johnson

The 2009 Medicare physician fee schedule implemented provisions of the Medicare Improvements for Patients and Providers Act of 2008, or MIPPA, which had a positive effect on payment for pathology services included in the fee schedule. The bill, which became law on July 15, 2008, replaced a scheduled cut in physician payment for the last half of 2008 and 2009 with a 1.1 percent increase for this period. It also required that a previous decision to take budget-neutrality adjustments from the work relative value units be changed, as supported by the CAP and other medical specialty groups.

While MIPPA provided a 1.1 percent update to the conversion factor, at the same time the five-year review budget-neutrality adjustment of -6.41 percent was applied to the

conversion factor rather than to the work RVUs as in the previous two years. The College had asked that the five-year review budget-neutrality adjustment be applied to the conversion factor rather than the work RVUs because it spreads the negative adjustment over the entire payment for a code and not just the work relative value unit.

Applying the five-year budget-neutrality adjustment to the conversion factor rather than work RVUs has a positive effect for hospital-based pathologists for two reasons: 1) The bulk of payment for hospital-based pathologists is derived from the work RVU, which previously carried all of the weight for the budget-neutrality adjustment decrease; and 2) the Centers for Medicare and Medicaid Services had used this decreased work RVU to allocate practice expense costs to professional component

services. This negative adjustment has now been removed for 2009.

As a result of this change, reimbursement for hospital-based pathologists will see an increase above what the CMS published in its 2009 proposed physician fee schedule. For example, the change is responsible for a five percent shift to CPT code 88305-PC. In the proposed rule the CMS published last summer, the agency projected a two percent reduction; payment for this service will now see a three percent increase.

Additional changes in the final rule include the establishment of new G codes for use with specific prostate saturation biopsy sampling specimens. The new G codes and the CMS-established relative value units are in the chart below and on page 60. These new codes are to be used only for specimens procured by the physician using new CPT

code 55706 (Biopsies, prostate, needle, transperineal, stereotactic template guided saturation sampling, including imaging guidance). CPT code 55700 (Biopsy, prostate; needle or punch, single or multiple, any approach) is used for prostate biopsies obtained by clinicians using a traditional needle or punch. Prostate biopsies obtained by this mechanism will continue to be coded using existing CPT code 88305. To clarify this issue, the final rule says that under the physician fee schedule "CPT code 88305 will continue to be recognized for those surgical pathology services unrelated to prostate needle saturation biopsy sampling." Therefore, it is now necessary for the pathologist to ascertain the code the clinician used to procure the biopsies before assigning a pathology CPT code for the work performed. □

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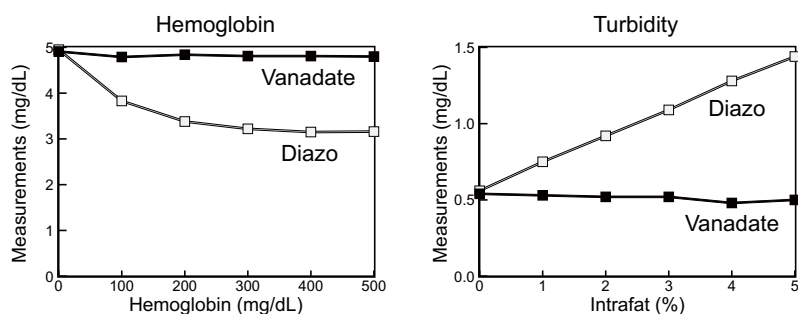
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2009 national physician fee schedule relative value units

Conversion factor for 2009 = \$36.0666,
released Nov. 1, 2008

CPT/ HCPCS	Modifier	Description	Work RVU	Transitioned		Transitioned		
				Non- facility PE RVU	Facility PE RVU	Mal- practice RVU	Non- facility total	Facility total
G0141		Scr c/v cyto, autosis and md	0.42	0.31	0.31	0.02	0.75	0.75
G0364		Bone marrow aspirate & biopsy	0.16	0.16	0.07	0.04	0.36	0.27
G0416		Sat biopsy prostate 1-20 spc	3.09	13.96	13.96	0.54	17.59	17.59
G0416	TC	Sat biopsy prostate 1-20 spc	0.00	12.14	12.14	0.30	12.44	12.44
G0416	26	Sat biopsy prostate 1-20 spc	3.09	1.82	1.82	0.24	5.15	5.15
G0417		Sat biopsy prostate 21-40	5.86	27.26	27.26	1.06	34.18	34.18
G0417	TC	Sat biopsy prostate 21-40	0.00	23.71	23.71	0.60	24.31	24.31
G0417	26	Sat biopsy prostate 21-40	5.86	3.55	3.55	0.46	9.87	9.87
G0418		Sat biopsy prostate 41-60	10.30	46.56	46.56	1.80	58.66	58.66
G0418	TC	Sat biopsy prostate 41-60	0.00	40.50	40.50	1.03	41.53	41.53
G0418	26	Sat biopsy prostate 41-60	10.30	6.06	6.06	0.77	17.13	17.13
G0419		Sat biopsy prostate: >60	11.61	55.86	55.86	2.16	69.63	69.63
G0419	TC	Sat biopsy prostate: >60	0.00	48.60	48.60	1.23	49.83	49.83
G0419	26	Sat biopsy prostate: >60	11.61	7.26	7.26	0.93	19.80	19.80
P3001		Screening pap smear by phys	0.42	0.31	0.31	0.02	0.75	0.75
10021		Fna w/o image	1.27	2.15	0.43	0.10	3.52	1.80
10022		Fna w/image	1.27	2.26	0.43	0.08	3.61	1.78
36430		Blood transfusion service	0.00	0.94	0.94	0.06	1.00	1.00
36440		Bl push transfuse, 2 yr or <	1.03	0.28	0.28	0.10	1.41	1.41
36450		Bl exchange/transfuse, nb	2.23	0.80	0.80	0.21	3.24	3.24
36455		Bl exchange/transfuse non-nb	2.43	0.93	0.93	0.15	3.51	3.51
36460		Transfusion service, fetal	6.58	1.92	1.92	0.79	9.29	9.29
36511		Apheresis wbc	1.74	0.62	0.62	0.08	2.44	2.44
36512		Apheresis rbc	1.74	0.66	0.66	0.08	2.48	2.48
36513		Apheresis platelets	1.74	0.68	0.68	0.17	2.59	2.59
36514		Apheresis plasma	1.74	11.91	0.60	0.08	13.73	2.42
36515		Apheresis, adsorp/reinfuse	1.74	49.35	0.55	0.08	51.17	2.37
36516		Apheresis, selective	1.22	56.63	0.41	0.08	57.93	1.71
38205		Harvest allogenic stem cells	1.50	0.60	0.60	0.07	2.17	2.17
38206		Harvest auto stem cells	1.50	0.60	0.60	0.07	2.17	2.17
38207		Cryopreserve stem cells	0.89	0.44	0.44	0.01	1.34	1.34
38208		Thaw preserved stem cells	0.56	0.28	0.28	0.02	0.86	0.86
38209		Wash harvest stem cells	0.24	0.12	0.12	0.01	0.37	0.37
38210		T-cell depletion of harvest	1.57	0.78	0.78	0.03	2.38	2.38
38211		Tumor cell deplete of harvest	1.42	0.71	0.71	0.02	2.15	2.15
38212		Rbc depletion of harvest	0.94	0.47	0.47	0.02	1.43	1.43
38213		Platelet deplete of harvest	0.24	0.12	0.12	0.01	0.37	0.37
38214		Volume deplete of harvest	0.81	0.40	0.40	0.01	1.22	1.22
38215		Harvest stem cell concentrate	0.94	0.47	0.47	0.02	1.43	1.43
38220		Bone marrow aspiration	1.08	2.95	0.50	0.05	4.08	1.63
38221		Bone marrow biopsy	1.37	3.09	0.63	0.07	4.53	2.07
38230		Bone marrow collection	4.80	3.15	3.15	0.48	8.43	8.43
80500		Lab pathology consultation	0.37	0.19	0.12	0.01	0.57	0.50
80502		Lab pathology consultation	1.33	0.41	0.37	0.04	1.78	1.74
83020	26	Hemoglobin electrophoresis	0.37	0.13	0.13	0.01	0.51	0.51
83912	26	Genetic examination	0.37	0.11	0.11	0.01	0.49	0.49
84165	26	Protein e-phoresis, serum	0.37	0.12	0.12	0.01	0.50	0.50
84166	26	Protein e-phoresis/urine/csf	0.37	0.12	0.12	0.01	0.50	0.50
84181	26	Western blot test	0.37	0.12	0.12	0.01	0.50	0.50

continued on page 60

2009 physician fee schedule RVUs

continued from page 58

CPT/ HCPCS	Modifier	Description	Work RVU	Transitioned			Transitioned	
				Non- facility PE RVU	Facility RVU	Mal- practice RVU	Non- facility total	Facility total
84182	26	Protein, Western blot test	0.37	0.13	0.13	0.02	0.52	0.52
85060		Blood smear interpretation	0.45	0.15	0.15	0.02	0.62	0.62
85097		Bone marrow interpretation	0.94	1.40	0.31	0.04	2.38	1.29
85390	26	Fibrinolysins screen	0.37	0.13	0.13	0.01	0.51	0.51
85396		Clotting assay, whole blood	0.37	0.12	0.12	0.04	0.53	0.53
85576	26	Blood platelet aggregation	0.37	0.13	0.13	0.01	0.51	0.51
86077		Physician blood bank service	0.94	0.38	0.32	0.03	1.35	1.29
86078		Physician blood bank service	0.94	0.40	0.32	0.03	1.37	1.29
86079		Physician blood bank service	0.94	0.41	0.33	0.03	1.38	1.30
86255	26	Fluorescent antibody, screen	0.37	0.13	0.13	0.01	0.51	0.51
86256	26	Fluorescent antibody, titer	0.37	0.13	0.13	0.01	0.51	0.51
86320	26	Serum immunoelectrophoresis	0.37	0.13	0.13	0.01	0.51	0.51
86325	26	Other immunoelectrophoresis	0.37	0.12	0.12	0.01	0.50	0.50
86327	26	Immunoelectrophoresis assay	0.42	0.15	0.15	0.02	0.59	0.59
86334	26	Immunofix e-phoresis, serum	0.37	0.13	0.13	0.01	0.51	0.51
86335	26	Immunofix e-phoresis/urine/csf	0.37	0.12	0.12	0.01	0.50	0.50
87164	26	Dark field examination	0.37	0.12	0.12	0.01	0.50	0.50
87207	26	Smear, special stain	0.37	0.13	0.13	0.01	0.51	0.51
88104		Cytopath fl nongyn, smears	0.56	1.08	1.08	0.04	1.68	1.68
88104	TC	Cytopath fl nongyn, smears	0.00	0.90	0.90	0.02	0.92	0.92
88104	26	Cytopath fl nongyn, smears	0.56	0.18	0.18	0.02	0.76	0.76
88106		Cytopath fl nongyn, filter	0.56	1.49	1.49	0.04	2.09	2.09
88106	TC	Cytopath fl nongyn, filter	0.00	1.31	1.31	0.02	1.33	1.33
88106	26	Cytopath fl nongyn, filter	0.56	0.18	0.18	0.02	0.76	0.76
88107		Cytopath fl nongyn, sm/fltr	0.76	1.82	1.82	0.05	2.63	2.63
88107	TC	Cytopath fl nongyn, sm/fltr	0.00	1.56	1.56	0.02	1.58	1.58
88107	26	Cytopath fl nongyn, sm/fltr	0.76	0.26	0.26	0.03	1.05	1.05
88108		Cytopath, concentrate tech	0.56	1.38	1.38	0.04	1.98	1.98
88108	TC	Cytopath, concentrate tech	0.00	1.20	1.20	0.02	1.22	1.22
88108	26	Cytopath, concentrate tech	0.56	0.18	0.18	0.02	0.76	0.76
88112		Cytopath, cell enhance tech	1.18	1.57	1.57	0.04	2.79	2.79
88112	TC	Cytopath, cell enhance tech	0.00	1.22	1.22	0.02	1.24	1.24
88112	26	Cytopath, cell enhance tech	1.18	0.35	0.35	0.02	1.55	1.55
88125		Forensic cytopathology	0.26	0.31	0.31	0.02	0.59	0.59
88125	TC	Forensic cytopathology	0.00	0.22	0.22	0.01	0.23	0.23
88125	26	Forensic cytopathology	0.26	0.09	0.09	0.01	0.36	0.36
88141		Cytopath, c/v, interpret	0.42	0.31	0.31	0.02	0.75	0.75
88160		Cytopath smear, other source	0.50	0.88	0.88	0.04	1.42	1.42
88160	TC	Cytopath smear, other source	0.00	0.72	0.72	0.02	0.74	0.74
88160	26	Cytopath smear, other source	0.50	0.16	0.16	0.02	0.68	0.68
88161		Cytopath smear, other source	0.50	0.94	0.94	0.04	1.48	1.48
88161	TC	Cytopath smear, other source	0.00	0.79	0.79	0.02	0.81	0.81
88161	26	Cytopath smear, other source	0.50	0.15	0.15	0.02	0.67	0.67
88162		Cytopath smear, other source	0.76	1.33	1.33	0.05	2.14	2.14
88162	TC	Cytopath smear, other source	0.00	1.08	1.08	0.02	1.10	1.10
88162	26	Cytopath smear, other source	0.76	0.25	0.25	0.03	1.04	1.04
88172		Cytopathology eval of fna	0.60	0.80	0.80	0.04	1.44	1.44
88172	TC	Cytopathology eval of fna	0.00	0.60	0.60	0.02	0.62	0.62
88172	26	Cytopathology eval of fna	0.60	0.20	0.20	0.02	0.82	0.82
88173		Cytopath eval, fna, report	1.39	2.19	2.19	0.07	3.65	3.65
88173	TC	Cytopath eval, fna, report	0.00	1.74	1.74	0.02	1.76	1.76
88173	26	Cytopath eval, fna, report	1.39	0.45	0.45	0.05	1.89	1.89
88182		Cell marker study	0.77	1.96	1.96	0.07	2.80	2.80
88182	TC	Cell marker study	0.00	1.78	1.78	0.04	1.82	1.82
88182	26	Cell marker study	0.77	0.18	0.18	0.03	0.98	0.98
88184		Flow cytometry/ tc, 1 marker	0.00	2.15	2.15	0.02	2.17	2.17
88185		Flow cytometry/tc, add-on	0.00	1.27	1.27	0.02	1.29	1.29
88187		Flow cytometry/read, 2-8	1.36	0.41	0.41	0.01	1.78	1.78
88188		Flow cytometry/read, 9-15	1.69	0.49	0.49	0.01	2.19	2.19
88189		Flow cytometry/read, 16 & >	2.23	0.55	0.55	0.01	2.79	2.79
88291		Cyto/molecular report	0.52	0.25	0.25	0.02	0.79	0.79
88300		Surgical path, gross	0.08	0.54	0.54	0.02	0.64	0.64
88300	TC	Surgical path, gross	0.00	0.51	0.51	0.01	0.52	0.52
88300	26	Surgical path, gross	0.08	0.03	0.03	0.01	0.12	0.12
88302		Tissue exam by pathologist	0.13	1.18	1.18	0.03	1.34	1.34
88302	TC	Tissue exam by pathologist	0.00	1.14	1.14	0.02	1.16	1.16
88302	26	Tissue exam by pathologist	0.13	0.04	0.04	0.01	0.18	0.18
88304		Tissue exam by pathologist	0.22	1.45	1.45	0.03	1.70	1.70
88304	TC	Tissue exam by pathologist	0.00	1.38	1.38	0.02	1.40	1.40
88304	26	Tissue exam by pathologist	0.22	0.07	0.07	0.01	0.30	0.30
88305		Tissue exam by pathologist	0.75	2.06	2.06	0.07	2.88	2.88
88305	TC	Tissue exam by pathologist	0.00	1.81	1.81	0.04	1.85	1.85
88305	26	Tissue exam by pathologist	0.75	0.25	0.25	0.03	1.03	1.03
88307		Tissue exam by pathologist	1.59	4.05	4.05	0.12	5.76	5.76
88307	TC	Tissue exam by pathologist	0.00	3.51	3.51	0.06	3.57	3.57
88307	26	Tissue exam by pathologist	1.59	0.54	0.54	0.06	2.19	2.19
88309		Tissue exam by pathologist	2.80	5.72	5.72	0.14	8.66	8.66
88309	TC	Tissue exam by pathologist	0.00	4.83	4.83	0.06	4.89	4.89
88309	26	Tissue exam by pathologist	2.80	0.89	0.89	0.08	3.77	3.77
88311		Decalcify tissue	0.24	0.24	0.24	0.02	0.50	0.50
88311	TC	Decalcify tissue	0.00	0.16	0.16	0.01	0.17	0.17
88311	26	Decalcify tissue	0.24	0.08	0.08	0.01	0.33	0.33
88312		Special stains	0.54	2.14	2.14	0.03	2.71	2.71
88312	TC	Special stains	0.00	1.97	1.97	0.01	1.98	1.98
88312	26	Special stains	0.54	0.17	0.17	0.02	0.73	0.73
88313		Special stains	0.24	1.72	1.72	0.02	1.98	1.98
88313	TC	Special stains	0.00	1.65	1.65	0.01	1.66	1.66
88313	26	Special stains	0.24	0.07	0.07	0.01	0.32	0.32

CPT/ HCPCS	Modifier	Description	Work RVU	Transitioned			Transitioned	
				Non- facility PE RVU	Facility RVU	Mal- practice RVU	Non- facility total	Facility total
88314		Histochemical stain	0.45	1.93	1.93	0.04	2.42	2.42
88314	TC	Histochemical stain	0.00	1.78	1.78	0.02	1.80	1.80
88314	26	Histochemical stain	0.45	0.15	0.15	0.02	0.62	0.62
88318		Chemical histochemistry	0.42	2.27	2.27	0.03	2.72	2.72
88318	TC	Chemical histochemistry	0.00	2.14	2.14	0.01	2.15	2.15
88318	26	Chemical histochemistry	0.42	0.13	0.13	0.02	0.57	0.57
88319		Enzyme histochemistry	0.53	3.21	3.21	0.04	3.78	3.78
88319	TC	Enzyme histochemistry	0.00	3.04	3.04	0.02	3.06	3.06
88319	26	Enzyme histochemistry	0.53	0.17	0.17	0.02	0.72	0.72
88321		Microslide consultation	1.63	0.74	0.50	0.05	2.42	2.18
88323		Microslide consultation	1.83	2.02	2.02	0.07	3.92	3.92
88323	TC	Microslide consultation	0.00	1.54	1.54	0.02	1.56	1.56
88323	26	Microslide consultation	1.83	0.48	0.48	0.05	2.36	2.36
88325		Comprehensive review of data	2.50	2.64	0.82	0.07	5.21	3.39
88329		Path consult intraop	0.67	0.66	0.23	0.02	1.35	0.92
88331		Path consult intraop, 1 bloc	1.19	1.19	1.19	0.08	2.46	2.46
88331	TC	Path consult intraop, 1 bloc	0.00	0.77	0.77	0.04	0.81	0.81
88331	26	Path consult intraop, 1 bloc	1.19	0.42	0.42	0.04	1.65	1.65
88332		Path consult intraop, add'l	0.59	0.47	0.47	0.04	1.10	1.10
88332	TC	Path consult intraop, add'l	0.00	0.27	0.27	0.02	0.29	0.29
88332	26	Path consult intraop, add'l	0.59	0.20	0.20	0.02	0.81	0.81
88333		Intraop cyto path consult, 1	1.20	1.24	1.24	0.08	2.52	2.52
88333	TC	Intraop cyto path consult, 1	0.00	0.83	0.83	0.04	0.87	0.87
88333	26	Intraop cyto path consult, 1	1.20	0.41	0.41	0.04	1.65	1.65
88334		Intraop cyto path consult, 2	0.73	0.75	0.75	0.04	1.52	1.52
88334	TC	Intraop cyto path consult, 2	0.00	0.51	0.51	0.02	0.53	0.53
88334	26	Intraop cyto path consult, 2	0.73	0.24	0.24	0.02	0.99	0.99
88342		Immunohistochemistry	0.85	1.82	1.82	0.05	2.72	2.72
88342	TC	Immunohistochemistry	0.00	1.56	1.56	0.02	1.58	1.58
88342	26	Immunohistochemistry	0.85	0.26	0.26	0.03	1.14	1.14
88346		Immunofluorescent study	0.86	1.82	1.82	0.05	2.73	2.73
88346	TC	Immunofluorescent study	0.00	1.55	1.55	0.02	1.57	1.57
88346	26	Immunofluorescent study	0.86	0.27	0.27	0.03	1.16	1.16
88347		Immunofluorescent study	0.86	1.25	1.25	0.05	2.16	2.16
88347	TC	Immunofluorescent study	0.00	1.03	1.03	0.02	1.05	1.05
88347	26	Immunofluorescent study	0.86	0.22	0.22	0.03	1.11	1.11
88348		Electron microscopy	1.51	15.48	15.48	0.13	17.12	17.12
88348	TC	Electron microscopy	0.00	15.00	15.00	0.07	15.07	15.07
88348	26	Electron microscopy	1.51	0.48	0.48	0.06	2.05	2.05
88349		Scanning electron microscopy	0.76	7.30	7.30	0.09	8.15	8.15
88349	TC	Scanning electron microscopy	0.00	7.04	7.04	0.06	7.10	7.10
88349	26	Scanning electron microscopy	0.76	0.26	0.26	0.03	1.05	1.05
88355		Analysis, skeletal muscle	1.85	4.57	4.57	0.13	6.55	6.55
88355	TC	Analysis, skeletal muscle	0.00	4.09	4.09	0.06	4.15	4.15
88355	26	Analysis, skeletal muscle	1.85	0.48	0.48	0.07	2.40	2.40
88356		Analysis, nerve	3.02	4.73	4.73	0.19	7.94	7.94
88356	TC	Analysis, nerve	0.00	4.04	4.04	0.07	4.11	4.11
88356	26	Analysis, nerve	3.02	0.69	0.69	0.12	3.83	3.83
88358		Analysis, tumor	0.95	1.03	1.03	0.17	2.15	2.15
88358	TC	Analysis, tumor	0.00	0.81	0.81	0.07	0.88	0.88