



September 18, 2012

Mr. Glenn McGuirk  
Centers for Medicare and Medicaid Services  
7500 Security Blvd.  
Baltimore, Maryland 21244

Subj: 2013 Preliminary Payment Determinations

Dear Mr. McGuirk:

The American Association for Clinical Chemistry (AACC) welcomes the opportunity to provide comments to the Centers for Medicare and Medicaid Services (CMS) regarding its preliminary payment determinations for calendar year 2013 codes. AACC supports the agency's efforts to introduce greater transparency and consistency to the Medicare payment process.

CMS will soon replace the current molecular pathology stacking codes with 101 new test-specific codes. The agency's initial recommendation is that molecular tests remain on the clinical laboratory fee schedule. This could change, however, as CMS reviews additional feedback received regarding the July 30, 2012 physician fee schedule (PFS) proposed rule.

AACC agrees that most, if not all, of the molecular tests should remain on the clinical laboratory fee schedule. Many of these tests are routinely interpreted by PhDs, which precludes them from being placed on the PFS. Also, recent technological advances have enabled some molecular devices to generate test results that require little or no interpretation. Therefore, shifting all molecular tests to the PFS is not warranted.

AACC also believes that individuals interpreting molecular tests should be paid for their services. We suggest that CMS retain CPT 83912 for interpretation and reporting so that non-physicians can continue to bill for these services. Similarly, CMS should continue to permit physicians to bill Medicare using that CLFS code with a -26 modifier for interpretive services.

AACC is the principal association of professional laboratory scientists--including MDs, PhDs and medical technologists. AACC's members develop and use chemical concepts, procedures, techniques and instrumentation in health-related investigations and work in hospitals, independent laboratories and the diagnostics industry worldwide. The AACC provides international leadership in advancing the practice and profession of clinical laboratory science and its application to health care. If you have any questions, please call me at (804) 828-0375, or Vince Stine, PhD, Director, Government Affairs, at (202) 835-8721.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Miller", is written in a cursive style.

Greg Miller, PhD  
President, AACC