

# APPROVED

## HB10\_1332 MEDICAL CLEAN CLAIMS TRANSPARENCY AND UNIFORMITY ACT TASK FORCE

Meeting Minutes

Wednesday, July 27, 2011

12 – 2 PM MST

Call-in Number: 1-800-406-9170

Conference ID: 3891479554#

<http://coloradomedicalsociety/acrobat.com/cleanclaimswebinar/>

<http://hb101332taskforce.org>

### Attendees:

- Helen Campbell\*
- Dee Cole (alternate)
- Rebecca Craig\*
- Tom Darr\*
- Kim Davis\*
- Mark Dawson\*
- Barry Keene (co-chair)\*
- Rose Marie Laur (alternate)
- Kathy McCreary\*
- Douglas Moeller\*
- Mark Painter\*
- Carol Reinboldt\*
- Mark Rieger\*
- Marilyn Rissmiller (co-chair)\*
- Jill Roberson\*
- Ryshell Schrader\*
- Beth Wright\*

### Staff:

- Kirstin Michel
- Kelly Shanahan-Marshall
- Barbara Yondorf

### Public attendees:

- Laura Darst (MN)
- Marie Mindeman (for Tammy Banks)
- Kelly Smith (VT)
- Sherry Smith (AMA)
- Nancy Steinke (Rocky Mtn Health Plan)

### Meeting Objective (s):

- Housekeeping
- Committee Reports
- Process Development Review
- Agenda for August meeting
- Other Business
- Public

### Key:

- TFM = Task Force Member
- CC = Co-Chair
- PC = Public Comment

### Parking Lot:



• Marie Mindeman		
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**MEETING MINUTES**

<b>Topic</b>	<b>Discussion</b>	<b>Action</b>	<b>Due Date</b>
<b>Welcome and Introductions</b>	<b>ROLL CALL &amp; WELCOME:</b> 15 Task Force Members* in attendance	<b>Quorum Met</b>	
<b>Housekeeping</b> <ul style="list-style-type: none"> <li>• Approve June 22, 2011 Minutes</li> <li>• Review of agenda</li> </ul>	<b>APPROVAL OF JUNE MINUTES</b>  CC called for approval of June minutes.  <b>REVIEW OF TODAY'S AGENDA:</b> <ul style="list-style-type: none"> <li>• Roll Call, Welcoming Remarks, &amp; Housekeeping</li> <li>• Committee Reports</li> <li>• Process Development Review</li> <li>• Agenda for August meeting</li> <li>• Other business</li> <li>• Public Comment</li> </ul>	<b>Minutes Approved</b>	

Topic	Discussion	Action	Due Date
<p data-bbox="92 139 380 237"><b>Co-Chairs' July 15, 2011 Memo re: Meetings &amp; Decisions</b></p> <p data-bbox="92 391 415 488"><b>Committee Reports</b> • <b>Sustaining/Repository (Mark Rieger)</b></p> <p data-bbox="92 821 407 987">• <b>Specialty Society/ Professional Society Outreach Committee (Marie Mindeman for Tammy Banks)</b></p>	<p data-bbox="438 139 1304 342"><b>CC:</b> The Meetings &amp; Decisions memo was originally distributed to the Project Management team. Their comments were integrated. The main points of the document include advance notice for decision materials, the consensus process for telephone meetings, and TFM responsibilities. (See July 15 email from Naftali Kramish for Barry Keene for a copy of the memo.)</p> <p data-bbox="438 391 716 451"><b>COMMITTEE REPORTS</b> <b>Mark Rieger</b></p> <p data-bbox="438 496 1314 773"><b>Data Sustaining/Repository TFM:</b> Provided update on subcommittee's activities. The subcommittee held their first meeting on July 7<sup>th</sup> and approved the draft charter. Minutes for that meeting have been distributed to subgroup members and once they are approved (at the upcoming August 11<sup>th</sup> meeting) they will be submitted to full task force. Subcommittee did not have full attendance. During the August 11<sup>th</sup> meeting, the subcommittee will begin to work on deliverables including a discussion of the RFP for the data repository.</p> <p data-bbox="438 821 653 841"><b>Marie Mindeman</b></p> <p data-bbox="438 886 1272 987"><b>Specialty Society Presentation:</b> Power point presentation on the CPT process (for a copy of presentation, see email from Naftali Kramish on behalf of Barry Keene on 7/27). The presentation covered:</p> <ul data-bbox="438 995 1020 1284" style="list-style-type: none"> <li>• Evolution of CPT process</li> <li>• Illustration of CPT calendar for codes</li> <li>• Panel representation</li> <li>• Role of national medical specialty societies</li> <li>• Role of panel in maintenance of the code set</li> <li>• Collaboration with Administar</li> <li>• CPT assistant editorial board process</li> <li>• Application process</li> </ul>		

<p><b>Specialty Society (cont'd)</b></p>	<p><b>Specialty Society TF Discussion:</b> The task force discussed their desire to re-engage Marie when they begin dealing with rules that are based on CPT guidelines. Marie agreed to participate in future calls/meetings as needed.</p> <p><b>TF Discussion:</b> General discussion about the power point slide # 51 (see text below).</p> <ul style="list-style-type: none"> <li>• Payer contacts CPT staff and cites concern of evidence of claims submitted with codes 29862, 29863 (laparoscopic hip debridement/shaving/synovectomy) with labral repair (29916)</li> <li>• CPT Exclusionary Parenthetical indicates: (Do not report 29916 for labral repair secondary to acetabuloplasty or in conjunction with 29862, 29863)</li> <li>• CCI Edits indicate an approved modifier 59 bypass</li> </ul> <p><b>TFM Comment:</b> It would be helpful if AMA could survey providers to determine the likelihood that other side of the body was done. Those cases should be handled on appeal. In other words, if AMA could use the survey and determine we see this code only a few times, then the 59 modifier is inappropriate. From a clinical/intuitive perspective, it's only going to happen a few times. The task force should increase the focus on codes, realizing we could provide ethical/moral guidance, and stop paying for treatments that didn't happen. Don't divorce from economic impact, that's what codes are for.</p> <p><b>Sherry Smith (AMA):</b> AMA does coordinate other activities. The Relative Value Update Committee (RUC) has become actively engaged in fraud, overuse, and points of confusion within CPT descriptors. AMA has generated coding proposals to provide clarification, reduce bundling. The 59 modifier issue has not been looked at (yet).</p> <p><b>TFM Comment:</b> MedVed published a report about the misuse of the 59 modifier.</p>		
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<ul style="list-style-type: none"> <li>NCCI (Beth Wright)</li> </ul>	<p><b>Beth Wright</b></p> <p><b>NCCI TFM:</b> The subcommittee provided an update of their efforts to date. Since the June meeting, they have met 3 times. They have had some administrative changes, including member changes. They are working on a schedule with the goal to meet twice per month.</p> <p>The CCI subcommittee continues to look at NCCI edits. We looked previously at a list of denied codes, where the RVU was lower and there was no modifier override. The subcommittee came up with a number of questions, but there are no new topics to bring to the table today. Next, our committee looked at payer specific edits. Some of those edits were tied to CMS directives. There is overlap with the sustainability committee. <b>How do we deal with issues that overlap?</b> We have the 1 – 7 list, but there are other sources. We still have a lot of questions about mutually exclusive and unbundled edits. We want to put those on the backburner and look at the C- P list.</p> <p><b>CC Question:</b> When you say back burner, do you mean you would withdraw your request for consensus?</p> <p><b>TFM Response:</b> No, any recommendations still stand. We want to take NCCI edits as a base; the question is “What else are we adding?”</p> <p><b>CC Comment:</b> Once again, I call for a consensus for recommendation #1. Are there any objections?</p> <p><b>CC Response:</b> Hearing none, we agree there is consensus on the point with the understanding that the representative from Rocky Mountain Health Plan is unable to vote as she is not a task force member.</p> <p>Consensus was reached; however, the representative from Rocky Mtn Health Plan abstained as she is not an official alternate and therefore cannot participate in a consensus agreement.</p>	<p><b>Consensus reached</b></p>	



<b>Other Business</b>	<b>CC:</b> Is there other business?		
<b>Public Comment</b>	<b>CC:</b> Is there any public comment?		
<b>Adjourn</b>	<b>CC:</b> No other comments? With that, we can adjourn at 1:58 PM MST.		