

In fee schedule final rule, lower cuts than proposed

CMS finalizes HbA1c coverage

Charles Fiegl

December 2023—In the 2024 Medicare physician fee schedule final rule, the Centers for Medicare and Medicaid Services reacted favorably to the CAP's advocacy to mitigate payment decreases to pathologists next year. Overall, payments to pathologists are expected to decrease by an estimated 2.7 percent.

Pathologists were projected, at the beginning of 2023, to receive a Medicare cut of 6.5 percent starting in 2024. Other physician specialties were facing similar cuts because this reduction was driven largely by G2211, a new evaluation and management add-on service developed by the CMS and expected to be implemented in 2024. Due to budget neutrality requirements in the Medicare physician fee schedule, the add-on service had to be offset by cuts to other physician services elsewhere in the fee schedule. At the same time, physicians who relied mainly on office or outpatient evaluation and management visits, such as primary care specialties, were assumed to have relatively high use of G2211 and would experience overall increases to their payments next year.

The CMS has said code G2211 reflects the time, intensity, and practice expenses required to build longitudinal relationships with patients and address most of their health care needs with consistency and continuity over long periods. However, the CAP has contended that the implementation of G2211 essentially allows duplicative billing because the work captured in code G2211 is already described and accounted for within the existing evaluation and management CPT code set. The CAP and other physician specialties negatively affected by the add-on code's introduction successfully lobbied Congress to delay payment for G2211 in 2021 for three years given the impact it would have during the pandemic.

When the CMS published the proposed 2024 fee schedule in July 2023, the Medicare program, after more lobbying by the CAP and other specialty physician organizations, made adjustments to how often G2211 would be billed. The CMS revised its assumptions that the code will be used during 90 percent of all evaluation and management patient visits to it being billed 38 percent of the time initially in 2024 and 54 percent of the time when fully adopted in future years. The lower use of the service reduced the budgetary impact to the whole fee schedule, including pathology and laboratory services.

The CAP is still opposing implementation of the add-on code and has joined specialty physicians to ask Congress to again take action. Congress is unlikely to do so, however, because of support for the service from primary care physician specialties and other groups.

Other actions by the CAP have had a positive impact on the Medicare physician fee schedule for pathologists and independent laboratories.

For example, this year the CAP directly advocated to the CMS for a 12 percent increase to the cytotechnologist clinical labor rate used by the federal agency in its practice expense methodology to calculate pathology payment. This increase was supported by public wage survey data and more accurately reflects cytotechnologist education, job duties, workforce shortages, and recruitment challenges. The CMS agreed with the CAP request and finalized a two-year, phased-in increase starting in 2024.

The CAP last year advocated for a separate increase to the histotechnologist clinical labor rate. The increase was finalized in the 2023 Medicare fee schedule and continues to be a benefit to pathology services as it is implemented over three years. As a result of these two policies, many pathology services will experience an increase to their technical component and global payments in 2024 and 2025.

In addition to the CAP's efforts to improve the labor inputs, the CMS acknowledged the AMA-led physician practice information survey for 2023–2024, the primary purpose of which is to collect representative data on practice

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Below are listed the pathology-related Medicare relative value units for 2024, as detailed in the Centers for Medicare and Medicaid Services physician fee schedule relative value file, released Nov. 2, 2023.																					
QTY	HCPCS	Short description	Status code	Work RVU	Non-work RVU	Facility RVU	Malpractice RVU	Non-malpractice RVU	Facility RVU	QTY	HCPCS	Short description	Status code	Work RVU	Non-work RVU	Facility RVU	Malpractice RVU	Non-malpractice RVU	Facility RVU		
10004	NA	Pathologic fracture	A	0.80	0.04	0.36	0.13	1.07	1.29	88016	TC	Colposcopy, 1st stage	A	0.07	1.74	NA	0.03	2.14	2.14		
10004	NA	Pathologic fracture	A	0.80	0.04	0.36	0.13	1.07	1.29	88017	TC	Colposcopy, 2nd stage	A	0.07	1.74	NA	0.03	2.14	2.14		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88018	TC	Colposcopy, 3rd stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88019	TC	Colposcopy, 4th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88020	TC	Colposcopy, 5th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88021	TC	Colposcopy, 6th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88022	TC	Colposcopy, 7th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88023	TC	Colposcopy, 8th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88024	TC	Colposcopy, 9th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88025	TC	Colposcopy, 10th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88026	TC	Colposcopy, 11th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88027	TC	Colposcopy, 12th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88028	TC	Colposcopy, 13th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88029	TC	Colposcopy, 14th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88030	TC	Colposcopy, 15th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88031	TC	Colposcopy, 16th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88032	TC	Colposcopy, 17th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88033	TC	Colposcopy, 18th stage	A	0.06	1.60	NA	0.01	1.41	1.41		
10004	NA	Pathologic fracture	A	1.00	0.70</																

The CMS proposed in July adding the HbA1c test to the types of diabetes screening tests covered under Medicare, consistent with a recently revised recommendation of the U.S. Preventive Services Task Force, and has finalized its proposal to do so.

The CAP's proposed rule comment letter to the agency said the HbA1c test is clinically appropriate for diabetes screening and has unique advantages, compared with existing covered tests, that the practitioner and patient should consider when choosing a diabetes screening test. The CAP supported the expansion of coverage to include the HbA1c test for diabetes screening, as well as the expansion and simplification of the frequency limitations.

The decrease would have been lower if not for a 1.25 percent increase included in the Consolidated Appropriations Act of 2023. The CAP lobbied Congress throughout 2023 to mitigate cuts to pathologists further. In early

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10004	NA	Pathologic fracture	A	0.80	0.04	0.36	0.13	1.07	1.29	88016	TC	Colposcopy, 1st stage	A	0.07	1.74	NA	0.03	2.14	2.14
10004	NA	Pathologic fracture	A	0.80	0.04	0.36	0.13	1.07	1.29	88017	TC	Colposcopy, 2nd stage	A	0.07	1.74	NA	0.03	2.14	2.14
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88018	TC	Colposcopy, 3rd stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88019	TC	Colposcopy, 4th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88020	TC	Colposcopy, 5th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88021	TC	Colposcopy, 6th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88022	TC	Colposcopy, 7th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88023	TC	Colposcopy, 8th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88024	TC	Colposcopy, 9th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88025	TC	Colposcopy, 10th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88026	TC	Colposcopy, 11th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88027	TC	Colposcopy, 12th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88028	TC	Colposcopy, 13th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88029	TC	Colposcopy, 14th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88030	TC	Colposcopy, 15th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88031	TC	Colposcopy, 16th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88032	TC	Colposcopy, 17th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88033	TC	Colposcopy, 18th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88034	TC	Colposcopy, 19th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88035	TC	Colposcopy, 20th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88036	TC	Colposcopy, 21st stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88037	TC	Colposcopy, 22nd stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88038	TC	Colposcopy, 23rd stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88039	TC	Colposcopy, 24th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88040	TC	Colposcopy, 25th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88041	TC	Colposcopy, 26th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88042	TC	Colposcopy, 27th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88043	TC	Colposcopy, 28th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88044	TC	Colposcopy, 29th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88045	TC	Colposcopy, 30th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88046	TC	Colposcopy, 31st stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88047	TC	Colposcopy, 32nd stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88048	TC	Colposcopy, 33rd stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88049	TC	Colposcopy, 34th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88050	TC	Colposcopy, 35th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88051	TC	Colposcopy, 36th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88052	TC	Colposcopy, 37th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88053	TC	Colposcopy, 38th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88054	TC	Colposcopy, 39th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88055	TC	Colposcopy, 40th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88056	TC	Colposcopy, 41st stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88057	TC	Colposcopy, 42nd stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88058	TC	Colposcopy, 43rd stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88059	TC	Colposcopy, 44th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88060	TC	Colposcopy, 45th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88061	TC	Colposcopy, 46th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88062	TC	Colposcopy, 47th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88063	TC	Colposcopy, 48th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88064	TC	Colposcopy, 49th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88065	TC	Colposcopy, 50th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88066	TC	Colposcopy, 51st stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88067	TC	Colposcopy, 52nd stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88068	TC	Colposcopy, 53rd stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88069	TC	Colposcopy, 54th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88070	TC	Colposcopy, 55th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88071	TC	Colposcopy, 56th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88072	TC	Colposcopy, 57th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88073	TC	Colposcopy, 58th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88074	TC	Colposcopy, 59th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88075	TC	Colposcopy, 60th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88076	TC	Colposcopy, 61st stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88077	TC	Colposcopy, 62nd stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88078	TC	Colposcopy, 63rd stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88079	TC	Colposcopy, 64th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88080	TC	Colposcopy, 65th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88081	TC	Colposcopy, 66th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88082	TC	Colposcopy, 67th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88083	TC	Colposcopy, 68th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88084	TC	Colposcopy, 69th stage	A	0.06	1.60	NA	0.01	1.41	1.41
10004	NA	Pathologic fracture	A	1.00	0.70	0.38	0.10	1.98	1.48	88085	TC	Colposcopy, 70th stage	A	0.06	1.60	NA	0.01	1.41	

November, the Senate Finance Committee drafted and voted out of committee legislation that would mitigate the 2024 cut by an additional 1.25 percent. At this article's deadline, Congress had not yet acted on the bill as negotiations to appropriate funds for fiscal year 2024 federal spending continued.

Charles Fiegl is director of CAP advocacy communications, Washington, DC.