

# CMS “Moderately” Awake on Sedation Reimbursement

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**C**MS appears to have finally woken up from its “moderate” sleep and recognized that conscious sedation performed by the surgeon should be reimbursed additionally. DoctorsManagement has been trying to get CMS to notice the need for additional reimbursement for moderate sedation services, and now it has finally recognized that need.

Effective August 2007, CMS is now reimbursing physicians who, while performing a procedure, use moderate sedation (“conscious sedation” was the old term) 99143-99150. Moderate sedation allows patients to enter a complete relaxed state in order to make a procedure or test more tolerable; as a result, the physician is able to produce better results.

## LONG OVERDUE

This service should have been recognized by CMS for reimbursement long before now. A procedure assumes a substantially higher risk when the physician is administering moderate sedation while performing a procedure. Anytime a physician assumes an additional risk, all payers should reimburse additionally.

Prior to this new release, many third-party payers recognized this service for additional payment, but the payment did not necessarily come without a fight. This service would usually be reimbursed after a primary level appeal was filed, but still there was never a guarantee of payment based on the appeal. As we well know, CMS sets precedents within the reimbursement world. Hopefully, now that CMS recognizes this service for additional reimbursement, other payers will follow their lead.

## IMPACT ON YOUR PRACTICE

With the new reimbursement decision by CMS, check to see if your practice is performing this service. Moderate sedation is achieved when the patient reaches a medically-induced level of a relaxed or resting state of mind. Although many patients do not remember what occurs during this time, the patient is fully able to speak and respond to questions as well as breathe on their own.

Moderate sedation is typically used for a variety of outpatient procedures which include breast biopsy, vasectomy, minor foot or plastic surgery, dental work, scope procedures, cardiac catheterization, pain management procedures, and much more. During a procedure using moderate sedation, a trained individual will monitor the patient’s vital signs and conscious state.

Do not get moderate sedation and monitored anesthesia care (MAC) confused. Monitored anesthesia care requires the presence of an anesthesiologist who can convert the procedure to general anesthesia if needed. Moderate sedation can be performed by any trained physician, and should only be used for minor surgical procedures.

The pricing of this service has been left up to the discretion of each Medicare carrier, as there have been no RVUs assigned as of now. If you treat patients in multiple carrier districts, be sure to look up each varying reimbursement rate. The pricing of conscious sedation will most likely change in the first quarter of 2008 as a result of having a specified number of RVUs. Currently, Cigna Government Services, our local Medicare administrator, is reimbursing about \$30 for this service. This reimbursement amount is a drop in the bucket compared to the rate it

should be for the level of risk assumed, but at least CMS is finally reimbursing for this procedure.

CMS continues to bundle topical and light sedation services. Topical and light sedation services are rendered in many provider offices for less invasive procedures. An example of this type of sedation would include a procedure where an area is numbed prior to a biopsy or excision. When the surgeon delivers this type of sedation service, it is still bundled into the global package of the surgical procedure, so don’t get too carried away with sedation billing.

The new ruling by CMS in no way “trumps” the CPT bundling guides, so all of those services in your CPT book noted with a bullseye and listed in Appendix G are still considered bundled. Check the services you provide in your office to see if you can begin receiving this long overdue reimbursement. The complete memorandum from CMS can be found at [www.cms.hhs.gov/Transmittals/downloads/R1324CP.pdf](http://www.cms.hhs.gov/Transmittals/downloads/R1324CP.pdf). ■

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