

### 2008 Medicare Physician Fee Schedule Final Rule

In November 2008, the 2008 Medicare Physician Fee Schedule final rule was published in the Federal Register. The rule announced a 10.1 percent reduction to the conversion factor for 2008, an increase from the originally proposed 9.9 percent reduction. In December, President Bush signed Public Law 110-173 reversing the projected 10 percent pay cut and replaced it with a 0.5 percent increase in payments from Jan 1 through June 30, 2008.

### Anti-markup Rule One-Year Delay

In December, CMS issued a one-year delay in the application of the expanded anti-markup rule from January 1, 2008 to January 1, 2009, except in the case of anatomic pathology diagnostic testing services furnished in space used by a physician group practice as a "centralized building", which essentially means that this postponement only applies to diagnostic pathology services when the group provides other patient care services at the site as well. This is intended to close a perceived loophole in the self-referral regulations that had allowed the operation of off-site "pod labs". The one-year extension is to clarify the application of the rule and/or issue an additional proposed rule.

### PQRI

The Physician Quality Reporting Initiative (PQRI) has been extended for an additional year. Physicians who participate in the program from January through December 2008 will be eligible to receive a bonus of 1.5% of their total Medicare allowed charges for the year 2008. A lump sum payment will be made sometime after February 2009. To receive the bonus, participants must report on at least three measures for calendar year 2008 and report the measure in accordance with the specifications for least 80% of the patient encounters that fall within the measure's denominator.

Listed below are 15 measures that will most likely be considered by urologists:

- #20 Perioperative Care – Timing of Antibiotic Prophylaxis – Ordering Physician
- #23 Perioperative Care – VTE Prophylaxis
- #46 Medication Reconciliation
- #48 Assessment of Urinary Incontinence in Women Aged 65 or older
- #49 Characterization of urinary Incontinence in Women Aged 65 or older
- #50 Plan of Care for Urinary Incontinence in Women Aged 65 or older
- #101 Appropriate Initial Evaluation of Patients with Prostate Cancer
- #102 Inappropriate Use of Bone Scan for Staging Low-Risk Prostate Cancer
- #103 Review of Treatment Options in Patients with Clinically Localized Prostate Cancer
- #104 Adjuvant Hormonal Therapy for High-Risk Prostate Cancer Patients
- #105 Three-dimensional Radiotherapy for Patients with Prostate Cancer

- #114 Inquiry Regarding Tobacco Use
- #115 Advising Smokers to Quit
- #124 Adoption/Use of Electronic Health Records
- #125 Adoption/Use of E-Prescribing

**Overview of the Medicare, Medicaid and State Children's Health Insurance Program (SCHIP) Extension Act of 2007**

Medicare -

- Increase in physician payment update; extension of the physician quality reporting
- Extension of incentive payment program for physician scarcity areas
- Extension of the floor on work geographic adjustment
- Extension of treatment of certain physician pathology services
- Extension of exceptions process for therapy caps
- Extension of payment rule for brachytherapy; extension to therapeutic radiopharmaceuticals
- Extension of reasonable costs payments for certain clinical diagnostic laboratory tests in rural areas
- Extension of authority of specialized Medicare Advantage plans for special needs individuals
- Access to Medicare reasonable cost contract plans
- Adjustment to the Medicare Advantage stabilization fund
- Medicare secondary payer reporting requirements
- Payment for Part B drugs
- Payment rate for certain diagnostic laboratory tests
- Long-term care hospitals
- Payments for inpatient rehabilitation facility (IRF) services
- Accommodation of physicians ordered to active duty in the Armed Services
- Treatment of certain hospitals for payment under Medicare
- Medicare enrollment assistance

Medicaid –

- Extension of qualifying individual (QI) program
- Extension of transitional medical assistance and abstinence education programs
- Medicaid DSH extension
- Moratorium on certain payment restrictions
- Extending SCHIP funding through March 31, 2009
- Improving data collection

**AUA Practice Guidelines Status**

The AUA is working on reviewing some of the practice guidelines as well as developing additional guidelines. As guidelines are created, they will be reviewed every 3 years.

The AUA is working on developing or updating the following:

- Ureteral Stones
- Stress Urinary Incontinence Update
- Benign Prostatic Hyperplasia
- Vesicoureteral Reflux
- Renal Mass
- Vasectomy
- Cryosurgery
- Shock Wave Lithotripsy (SWL)
- Hematuria
- Male Infertility
- Interstitial Cystitis
- Overactive Bladder

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