

grants a Part D enrollee, who is dissatisfied with the Independent Review Entity (IRE) reconsideration determination, a right to an ALJ hearing if the amount remaining in controversy after the IRE reconsideration meets the threshold amount established annually by the Secretary. Section 423.630(a) allows a Part D enrollee to request judicial review of an ALJ's decision if the AIC meets the threshold amount established annually by the Secretary.

**II. Annual AIC Adjustments**

**A. AIC Adjustment Formula and AIC Adjustments**

As previously noted, section 940 of the MMA requires that the AIC threshold amounts be adjusted

annually, beginning in January of 2005, by the percentage increase in the medical care component of the consumer price index (CPI) for all urban consumers (U.S. city average) for July 2003 to the July of the preceding year involved and rounded to the nearest multiple of \$10.

**B. Calendar Year 2009**

The AIC threshold amount for ALJ hearing requests will be \$120 and the AIC threshold amount for judicial review will be \$1,220 for the 2009 calendar year. These new amounts are based on the 22.3 percent increase in the medical care component of the CPI from July of 2003 to July of 2008. The CPI level was at 297.6 in July of 2003 and rose to 363.96 in July of 2008. This

change accounted for the 22.3 percent increase. The AIC threshold amount for ALJ hearing requests changes to \$122.30 based on the 22.3 percent increase. In accordance with section 940 of the MMA, this amount is rounded to the nearest multiple of \$10. Therefore, the 2009 AIC threshold amount for ALJ hearings is \$120. The AIC threshold amount for judicial review changes to \$1,223.00 based on the 22.3 percent increase. This amount was rounded to the nearest multiple of \$10, resulting in a 2009 AIC threshold amount of \$1,220.

**C. Summary Table of Adjustments in the AIC Threshold Amounts**

In Table 1 below, we list the Calendar Year 2005 through 2009 threshold amounts.

**TABLE 1—AMOUNT-IN-CONTROVERSY THRESHOLD AMOUNTS**

	CY 2005	CY 2006	CY 2007	CY 2008	CY 2009
ALJ Hearing .....	\$100	\$110	\$110	\$120	\$120
Judicial Review .....	1050	1090	1130	1180	1,220

Key: CY = Calendar Year.

**III. Collection of Information Requirements (If Applicable)**

This document does not impose information collection and recordkeeping requirements. Consequently, it need not be reviewed by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 35).

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program; No. 93.773 Medicare—Hospital Insurance Program; and No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 12, 2008.

**Kerry Weems,**

*Acting Administrator, Centers for Medicare & Medicaid Services.*

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Medicare & Medicaid Services**

[CMS–3203–N]

**Medicare Program; Meeting of the Medicare Evidence Development and Coverage Advisory Committee—November 19, 2008**

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice announces that a public meeting of the Medicare Evidence Development & Coverage Advisory Committee (MEDCAC) (“Committee”) will be held on Wednesday, November 19, 2008. The Committee generally provides advice and recommendations concerning the adequacy of scientific evidence needed to determine whether certain medical items and services can be covered under the Medicare statute. This meeting will focus on the use of computed tomography colonography (CTC), also referred to as virtual colonoscopy, as a cancer screening test for average risk individuals (See section 1861(pp) of the Social Security Act (42 U.S.C. section 1395x(pp))). The meeting will discuss the various kinds of evidence that are useful to support requests for Medicare coverage in this field. This meeting is open to the public in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 2, section 10(a)).

**DATES:** *Meeting date:* The public meeting will be held on Wednesday, November 19, 2008 from 7:30 a.m. until 4:30 p.m., e.s.t.

*Deadline for Submission of Written Comments:* Written comments must be received at the address specified in the **ADDRESSES** section of this notice by 5 p.m., e.s.t on October 20, 2008. Once submitted comments are final.

*Deadlines for Speaker Registration and Presentation Materials:* The

deadline to register to be a speaker and to submit powerpoint presentation materials and writings that will be used in support of an oral presentation, is 5 p.m., d.s.t. on Monday, October 20, 2008. Speakers may register by phone or via e-mail by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. Presentation materials must be received at the address specified in the **ADDRESSES** section of this notice.

*Deadline for All Other Attendees Registration:* Individuals may register by phone or via e-mail by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice by 5 p.m., e.s.t. on Wednesday, November 12, 2008.

*Deadline for Submitting a Request for Special Accommodations:* Persons attending the meeting who are hearing or visually impaired, or have a condition that requires special assistance or accommodations, are asked to contact the Executive Secretary as specified in the **FOR FURTHER INFORMATION CONTACT** section of this notice no later than 5 p.m., e.s.t. Friday, November 7, 2008.

**ADDRESSES:** *Meeting Location:* The meeting will be held in the main auditorium of the Centers for Medicare & Medicaid Services, 7500 Security Blvd., Baltimore, MD 21244.

*Submission of Presentations and Comments:* Presentation materials and written comments that will be presented at the meeting must be submitted via e-

mail to [MedCACpresentations@cms.hhs.gov](mailto:MedCACpresentations@cms.hhs.gov) or by regular mail to the contact listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice by the date specified in the **DATES** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Maria Ellis, Executive Secretary for MEDCAC, Centers for Medicare & Medicaid Services, Office of Clinical Standards and Quality, Coverage and Analysis Group, C1-09-06, 7500 Security Boulevard, Baltimore, MD 21244 or contact Ms. Ellis by phone (410-786-0309) or via e-mail at [Maria.Ellis@cms.hhs.gov](mailto:Maria.Ellis@cms.hhs.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

MEDCAC, formerly known as the Medicare Coverage Advisory Committee (MCAC), provides advice and recommendations to CMS regarding clinical issues. (For more information on MCAC, see the December 14, 1998 *Federal Register* (63 FR 68780.)) This notice announces the November 19, 2008, public meeting of the Committee. During this meeting, the Committee will discuss the available evidence on computed tomography colonography (CTC) as a screening test for colorectal cancer, including test characteristics, screening frequency, cost effectiveness, safety and training requirements (See section 1861(pp) of the Social Security Act (42 U.S.C. section 1395x(pp))). Background information about this topic, including panel materials, are available at <http://www.cms.hhs.gov/coverage>. We encourage the participation of appropriate organizations with expertise in colorectal cancer and screening for this disease.

**II. Meeting Format**

This meeting is open to the public. The Committee will hear oral presentations from the public for approximately 30 minutes. The Committee may limit the number and duration of oral presentations to the time available. Your comments should focus on issues specific to the list of topics that we have proposed to the Committee. The list of research topics to be discussed at the meeting will be available on the following Web site prior to the meeting: [http://www.cms.hhs.gov/mcd/index\\_list.asp?list\\_type=mcac](http://www.cms.hhs.gov/mcd/index_list.asp?list_type=mcac). We require that you declare at the meeting whether you have any financial involvement with manufacturers (or their competitors) of any items or services being discussed.

The Committee will deliberate openly on the topics under consideration. Interested persons may observe the deliberations, but the Committee will not hear further comments during this time except at the request of the chairperson. The Committee will also allow a 15-minute unscheduled open public session for any attendee to address issues specific to the topics under consideration. At the conclusion of the day, the members will vote and the Committee will make its recommendation(s) to CMS.

**III. Registration Instructions**

CMS' Coverage and Analysis Group is coordinating meeting registration. While there is no registration fee, individuals must register to attend. You may register by contacting the person listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice by the deadline listed in the **DATES** section of this notice. Please provide your full name (as it appears on your state-issued driver's license), address, organization, telephone, fax number(s), and e-mail address. You will receive a registration confirmation with instructions for your arrival at the CMS complex or you will be notified the seating capacity has been reached.

**IV. Security, Building, and Parking Guidelines**

This meeting will be held in a Federal government building; therefore, Federal security measures are applicable. We recommend that confirmed registrants arrive reasonably early, but no earlier than 45 minutes prior to the start of the meeting, to allow additional time to clear security. Security measures include the following:

- Presentation of government-issued photographic identification to the Federal Protective Service or Guard Service personnel.
- Inspection of vehicle's interior and exterior (this includes engine and trunk inspection) at the entrance to the grounds. Parking permits and instructions will be issued after the vehicle inspection.
- Inspection, via metal detector or other applicable means of all persons brought entering the building. We note that all items brought into CMS, whether personal or for the purpose of presentation or to support a presentation, are subject to inspection. We cannot assume responsibility for coordinating the receipt, transfer, transport, storage, set-up, safety, or timely arrival of any personal belongings or items used for presentation or to support a presentation.

**Note:** Individuals who are not registered in advance will not be permitted to enter the building and will be unable to attend the meeting. The public may not enter the building earlier than 30 to 45 minutes prior to the convening of the meeting.

All visitors must be escorted in areas other than the lower and first floor levels in the Central Building.

**Authority:** 5 U.S.C. App. 2, section 10(a). (Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 15, 2008.

**Barry M. Straube,**

*Chief Medical Officer and Director, Office of Clinical Standards and Quality, Centers for Medicare & Medicaid Services.*

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**BILLING CODE 4120-01-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Medicare & Medicaid Services**

[CMS-7010-N]

**Medicare Program; Announcement of Meeting of the Advisory Panel on Medicare Education, October 22, 2008**

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), HHS.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, this notice announces a meeting of Advisory Panel on Medicare Education (the Panel). The Panel advises and makes recommendations to the Secretary of Health and Human Services and the Administrator of the Centers for Medicare & Medicaid Services on the effectiveness of consumer education strategies concerning the Medicare program. This meeting is open to the public.

**DATES:** *Meeting Date:* October 22, 2008 from 9 a.m. to 3:30 p.m., e.d.t.

*Deadline for Meeting Registration, Presentations and Comments:* October 15, 2008, 12 noon, e.d.t.

*Deadline for Requesting Special Accommodations:* October 8, 2008, 12 noon, e.d.t.

**ADDRESSES:** *Meeting Location:* Fairmont Washington Hotel, 2401 M Street, NW., Washington, DC 20037, (202) 429-2400. *Meeting Registration, Presentations, and Written Comments:* Lynne Johnson, Designated Federal Official, Division of Forum and Conference Development, Office of External Affairs, Centers for