

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Centers for Medicare & Medicaid Services**

**[CMS-1322-N]**

**Medicare Program; Second Semi-Annual Meeting of the  
Advisory Panel on Ambulatory Payment Classification  
Groups – September 5, 6, and 7, 2007**

**AGENCY:** Centers for Medicare & Medicaid Services,  
Department of Health and Human Services.

**ACTION:** Notice.

**SUMMARY:** In accordance with section 10(a) of the Federal Advisory Committee Act (FACA) (5 U.S.C. Appendix 2), this notice announces the second semi-annual meeting of the Advisory Panel on Ambulatory Payment Classification (APC) Groups (the Panel) for 2007. The purpose of the Panel is to review the APC groups and their associated weights and to advise the Secretary of the Department of Health and Human Services (DHHS) (the Secretary) and the Administrator of the Centers for Medicare & Medicaid Services (CMS) (the Administrator) concerning the clinical integrity of the APC groups and their associated weights. We will consider the Panel's advice as we prepare the final rule that updates the hospital Outpatient Prospective Payment System (OPPS) for CY 2008.

**MEETING DATES:** We are scheduling the second semi-annual meeting in 2007 for the following dates and times:

- Wednesday, September 5, 2007, 1 p.m. to 5 p.m. (e.s.t.)<sup>1</sup>
- Thursday, September 6, 2007, 8 a.m. to 5 p.m. (e.s.t.)<sup>1</sup>
- Friday, September 7, 2007, 8 a.m. to 12 noon (e.s.t.)<sup>2</sup>

<sup>1</sup>The times listed in this notice are approximate times; consequently, the meetings may last longer than listed in this notice--but will not begin before the posted times.

<sup>2</sup>If the business of the Panel concludes on Thursday, September 6, there will be no Friday meeting.

**DEADLINES:**

Deadline for Hardcopy Comments/Suggested Agenda Topics -

5 p.m. (e.s.t.), Thursday, **August 9, 2007**

Deadline for Hardcopy Presentations -

5 p.m. (e.s.t.), Thursday, **August 9, 2007**

Deadline for Attendance Registration -

5 p.m. (e.s.t.), Wednesday, **August 29, 2007**

Deadline for Special Accommodations -

5 p.m. (e.s.t.), Wednesday, **August 29, 2007**

**SUBMISSION OF MATERIALS TO THE DESIGNATED FEDERAL OFFICER (DFO):**

Because of staffing and resource limitations, we cannot accept written comments and presentations by FAX, nor can we print written comments and presentations received electronically for dissemination at the meeting.

Only hardcopy comments and presentations can be

reproduced for public dissemination. All hardcopy presentations must be accompanied by Form CMS-20017 (revised 01/07). The form is now available through the CMS Forms Web site. The Uniform Resource Locator (URL) for linking to this form is as follows:

<http://www.cms.hhs.gov/cmsforms/downloads/cms20017.pdf>.

Presenters must use the most recent copy of CMS-20017 (updated 01/07) at the above URL. Additionally, presenters must CLEARLY explain the action(s) that they are requesting CMS to take in the appropriate section of the form.

(NOTE: Issues that are vague, or that are outside the scope of the APC Panel's work, will not be considered for presentations and comments. There will be no exceptions to this rule. We appreciate your cooperation on this matter.)

We are also requiring electronic versions of the written comments and presentations (in addition to the hardcopies), so we can send them electronically to the Panel members for their review before the meeting.

Consequently, presenters/commenters must do the following:

- Send BOTH electronic and hardcopy versions of their presentations and written comments by the prescribed deadlines.

- Send electronic transmissions to the e-mail address below.
- Mail (or send by courier) hardcopies--accompanied by Form CMS-20017 (revised 01/07)--to the DFO, as specified in the "FURTHER INFORMATION CONTACTS" section of this notice.

**ADDRESSES:**

The meeting will be held in the Auditorium, CMS Central Office, 7500 Security Boulevard, Baltimore, Maryland 21244-1850.

**FURTHER INFORMATION CONTACT:**

- For further information, contact:  
Shirl Ackerman-Ross, DFO,  
CMS, CMM, HAPG, DOC,  
7500 Security Boulevard, Mail Stop C4-05-17,  
Baltimore, MD 21244-1850.  
Phone: (410) 786-4474.

(NOTE: Please advise couriers of the following:  
When delivering hardcopies of presentations to CMS, if no one answers at the above phone number, please call (410) 786-4532.)

- E-mail address for comments, presentations, and registration requests is *CMS APCPanel@cms.hhs.gov*.

(NOTE: There is **NO underscore** in this e-mail address; there is a **SPACE between CMS and APCPanel**.)

- News media representatives must contact our Public Affairs Office at (202) 690-6145.

**ADVISORY COMMITTEES' INFORMATION LINES:**

The phone numbers for the CMS Federal Advisory Committee Hotline are 1-877-449-5659 (toll free) and (410) 786-9379 (local).

**WEB SITES:**

Please search the CMS Web site at [http://www.cms.hhs.gov/FACA/05\\_AdvisoryPanelonAmbulatoryPaymentClassificationGroups.asp#TopOfPage](http://www.cms.hhs.gov/FACA/05_AdvisoryPanelonAmbulatoryPaymentClassificationGroups.asp#TopOfPage) in order to obtain the following information:

(NOTE: There is an **UNDERSCORE after FACA/05**(like this\_); there is **no space**.)

- Additional information on the APC meeting agenda topics,
  - Updates to the Panel's activities,
  - Copies of the current Charter, and
  - Membership requirements.

You may also search information about the APC Panel and its membership in the FACA database at the following URL: <https://www.fido.gov/facadatabase/public.asp>.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Secretary is required by section 1833(t)(9)(A)

of the Social Security Act (the Act), [as amended by section 201(h) of the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999 (BBRA) (Public Law [Pub. L.] 106-113), and re-designated by section 202(a)(2) of the BBRA] to consult with an expert outside advisory panel regarding the clinical integrity of the APC groups and weights that are components of the hospital OPPS.

The APC Panel meets up to three times annually. The Charter requires that the Panel must be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. The Panel consists of up to 15 members who are representatives of providers and a Chair.

Each Panel member must be employed full-time by a hospital, hospital system, or other Medicare provider subject to payment under the OPPS. All Panel members must have technical expertise that enables them to participate fully in the work of the Panel. The expertise encompasses hospital payment systems, hospital medical-care delivery systems, provider billing systems, outpatient payment requirements, APC groups, Current Procedural Terminology codes, and the use and payment of drugs and medical devices in the outpatient setting, as well as other forms of relevant expertise. Details regarding membership requirements for the APC Panel are

found on the CMS and FACA Web sites as listed above.

The Panel presently consists of the following members:

- E.L. Hambrick, M.D., J.D., Chair
- Marilyn Bedell, M.S., R.N., O.C.N.
- Gloryanne Bryant, B.S., R.H.I.A., R.H.I.T., C.C.S.
- Hazel Kimmel, R.N., C.C.S.
- Sandra J. Metzler, M.B.A., R.H.I.A., C.P.H.Q.
- Thomas M. Munger, M.D., F.A.C.C.
- James V. Rawson, M.D.
- Lou Ann Schraffenberger, M.B.A., R.H.I.A., C.C.S.-P.
- Judie S. Snipes, R.N., M.B.A., F.A.C.H.E.
- Timothy Gene Tyler, Pharm.D.
- Kim Allan Williams, M.D., F.A.C.C., F.A.B.C.
- Robert Matthew Zwolak, M.D., Ph.D., F.A.C.S.
- Patricia Spencer-Cisek, M.S., A.P.R.N.-B.C.,  
A.O.C.N. (effective 3/01/2007)
- Russ Ranallo, M.S. (effective 3/01/2007)
- Michael A. Ross, M.D. (effective 4/01/2007)
- Beverly Khnie Philip, M.D. (effective 4/01/2007)

## **II. Agenda**

The agenda for the September 2007 meeting will provide for discussion and comment on the following topics as designated in the Panel's Charter:

- Reconfiguring APCs (for example, splitting of APCs, moving Healthcare Common Procedure Coding System [HCPCS] codes from one APC to another and moving HCPCS codes from new technology APCs to clinical APCs).
- Evaluating APC weights.
- Packaging device and drug costs into APCs: methodology, effect on APCs, and need for reconfiguring APCs based upon device and drug packaging.
- Removing procedures from the inpatient list for payment under the OPPS.
- Using single and multiple procedure claims data.
- Addressing other APC structure technical issues.

(NOTE: The subject matter before the Panel will be limited to these and related topics. Issues related to calculation of the OPPS conversion factor, charge compression, pass-through payments, or wage adjustments are not within the scope of the Panel's work. Therefore, these issues will not be considered for presentations/comments. There will be no exceptions to this rule. We appreciate your cooperation on this matter.)

The Panel may use data collected or developed by entities and organizations, other than DHHS and CMS, in conducting its review. We urge organizations to submit data for the Panel's and CMS staff's review.

### **III. Written Comments and Suggested Agenda Topics**



Send hardcopy written comments and suggested agenda topics to the DFO at the address indicated above. The DFO must receive these items by 5 p.m. (e.s.t.), Thursday, August 9, 2007. There will be no exceptions. We appreciate your cooperation on this matter.

The written comments and suggested agenda topics submitted for the September 2007 APC Panel meeting must fall within the subject categories outlined in the Panel's Charter and as listed in the Agenda section of this notice.

#### **IV. Oral Presentations**

Individuals or organizations wishing to make 5-minute oral presentations must submit hardcopies of their presentations to the DFO by 5 p.m. (e.s.t.), Thursday, August 9, 2007, for consideration.

The number of oral presentations may be limited by the time available. Oral presentations should not exceed 5 minutes in length for an individual or an organization.

The Chair may further limit time allowed for presentations due to the number of oral presentations, if necessary.

#### **V. Presenter and Presentation Information**

All presenters must submit Form CMS-20017 (revised 01/07). Hardcopies are required for oral presentations;

however, electronic submissions of Form CMS-20017 are optional. The DFO must receive the following information from those wishing to make oral presentations:

- Form CMS-20017 completed with all pertinent information identified on the first page of the presentation.
- One hardcopy of presentation.
- Electronic copy of presentation.
- Personal registration information as described in the Meeting Attendance section below.
- Those persons wishing to submit comments only must send hard-copy/electronic versions of their comments, but they are not required to submit Form CMS-20017.

#### **VI. Oral Comments**

In addition to formal oral presentations, there will be opportunity during the meeting for public oral comments, which will be limited to 1 minute for each individual and a total of 3 minutes per organization.

#### **VII. Meeting Attendance**

The meeting is open to the public; however, attendance is limited to space available. Attendance will be determined on a first-come, first-served basis.

Persons wishing to attend this meeting, which is located on Federal property, must e-mail the Panel DFO

to register in advance no later than 5 p.m. (e.s.t.), Wednesday, August 29, 2007. A confirmation will be sent to the requester(s) via return e-mail.

The following personal information must be e-mailed to the DFO by the date and time above:

- Name(s) of attendee(s),
- Title(s),
- Organization,
- E-mail address(es), and
- Telephone number(s).

#### **VIII. Security, Building, and Parking Guidelines**

The following are the security, building, and parking guidelines:

- Persons attending the meeting--including presenters--must be registered and on the attendance list by the prescribed date.
- Individuals who are not registered in advance will not be permitted to enter the building and will be unable to attend the meeting.
- Attendees must present photographic identification to the Federal Protective Service or Guard Service personnel before entering the building.
- Security measures include inspection of vehicles, inside and out, at the entrance to the grounds.

- In addition, all persons entering the building must pass through a metal detector.
- All items brought into CMS--including personal items such as desktops, cell phones, palm pilots, etc.--are subject to physical inspection.
- The public may enter the building 30-45 minutes before the meeting convenes each day.
- All visitors must be escorted in areas other than the lower and first-floor levels in the Central Building.
- The main-entrance guards will issue parking permits and instructions upon arrival at the building.

#### **IX. Special Accommodations**

Individuals requiring sign-language interpretation or other special accommodations must send a request for these services to the DFO by 5 p.m. (e.s.t.), Wednesday, August 29, 2007.

**Authority:** Section 1833(t)(9) of the Act (42 U.S.C. 1395l(t)). The Panel is governed by the provisions of Pub. L. 92-463, as amended (5 U.S.C. Appendix 2). (Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program).

**Dated:** \_\_\_\_\_

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**Leslie V. Norwalk,**  
Acting Administrator,  
Centers for Medicare &  
Medicaid Services.

**BILLING CODE 4120-01-P**