ANCO FAX News

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INTRODUCTION

The ANCO FAX News focuses on ANCO's core activities—advocacy, clinical and professional

education, membership benefits, and *Association* news. While membership mailings, FAX broadcasts, and ListServ postings continue, the *ANCO FAX News* summarizes this information in a regular forum of important news to members. Contact the ANCO office for additional information regarding any item published in the *ANCO FAX News* or to contribute items.

The ANCO FAX News is sent to member

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ANCO, P.O. Box 151109, San Rafael, CA

472-3961; ExecDir@anco-online.org.

practices (via FAX) and corporate member

contacts (via e-mail). The next regular ANCO

Comments on and contributions to the ANCO

FAX News are always welcome and encouraged at

94915-1109; Voice: (415) 472-3960; FAX: (415)

There is information in the ANCO FAX News for every member of your practice or organization. Pass it along!

Physician Members

□ Nurse & Office Managers

□ Office Staff

Colleagues & Representatives

ADVOCACY

[Editor's Note: ANCO meets regularly with national, regional, and statewide organizations to discuss issues of importance to oncology practices and people with cancer.

We continually seek input from members on agenda items for these meetings. Send your issues to the ANCO office.]

ACCC, ASCO, and National Legislative & Regulatory Issues

[Editor's Note: ANCO is a member of the Association of Community Cancer Centers (ACCC) and a state/regional affiliate of the American Society of Clinical Oncology (ASCO). We regularly participate with these organizations on matters of

national importance to oncology practices.]

ANCO and ASCO continue to work towards ensuring that people with cancer have access to quality cancer care in the community. Here is the latest with regard to the *Medicare Prescription Drug, Improvement, and Modernization Act of* 2003 (MMA):

• Congressional Representative Ralph Hall introduced House Resolution (HR) 261 on May 4th. HR261 commends CMS for

The Association of Northern California Oncologists (ANCO) is an association of medical oncologists and hematologists dedicated to promoting high professional standards of oncology by providing a forum for the exchange of ideas, data, and knowledge. The material contained in the ANCO FAX News is intended as general information for ANCO members. Because diagnostic, treatment, contracting, coding, and billing decisions should be made on a case-by-case basis, any such information contained in the ANCO FAX News may not apply in any given situation. Members are encouraged to contact their own consultants or advisors to obtain specific advice on matters relating to contracting, coding, and billing. The information contained in the ANCO FAX News should not be used as a substitute for such advice.

creating the demonstration project and calls for policy makers to extend the demonstration project beyond 2005. At ASCO's suggestion, it contains specific language stating that payments to physicians for participating in the demonstration project should continue to ensure that Medicare patients with cancer have access to chemotherapy treatment. ASCO is now calling on other Members of Congress to join Representative Hall and support HR261. Please call or write your Congressional Representative to express your support for HR261 and to ask them to sign on to this important **Resolution**. You can find contact information for your *Representative* by visiting ASCO's Grassroots Action Center at capwiz.com/asco.

• CMS issued several important policy changes and clarifications on coding for drug administration services and the cancer care demonstration project on April 15th. Per CMS Transmittal 148, 1) infusions of 15 minutes or less are now to be reported using the code for pushes, 2) payment for only one **concurrent** infusion per encounter will be allowed regardless of the number of drugs infused, and 3) there is no requirement (although it is preferable) that the physician sign-off on the **symptom assessment** prepared by the nurse (incident to the physician's service) before the demonstration codes can be billed. To view a copy of CMS Transmittal 148, visit www.cms.hhs.gov/ manuals/pm_trans/R148OTN.pdf. (See NHIC/Medicare & DHS/MediCal below for NHIC/Medicare's implementation plans regarding short and concurrent infusions.)

• ASCO urges member cooperation with two **CMS studies on drug purchasing**. The first is a CMS/*Abt Associates* study to determine whether prices paid by large volume purchasers are representative of the prices available to prudent physicians. The second is an OIG study to review the ability of oncology/hematology providers to buy drugs at 106% of average sales price (ASP).

• ASCO's analysis of CMS's proposed *Competitive Acquisition Program* (CAP) for Part B drugs is available at www.ancoonline.org/mma.html. Their extensive comments to CMS are summarized, as follows:

1) The regulations need significant clarification on **handling unused drugs** obtained through the CAP program.

2) A separate payment for each drug administered (using a drug handling service code) should be established to capture the significant additional administrative costs associated with obtaining drugs through the CAP.

3) To ensure quality and product integrity, vendors should be prohibited from opening drug containers and physicians should be permitted to return damaged or suspicious drugs.

4) CMS should clarify whether vendors have the right to sell physician-specific data.

5) The regulations should state that the vendor may not refuse to fill a properly completed physician's order for any reason whatever.

6) Physicians should have the option to leave the CAP program.

ANCO's comments also made the following points:

1) CAP's unique logistical and tracking requirements make it untenable and unworkable.

2) The proposed CAP rule does not specify how drugs are to be delivered to practices.

3) CAP vendor contracts are to be let for three years. This would allow incompetent CAP vendors to remain in business far too long.

4) CAP vendors (i.e., drug wholesalers, drug distribution centers, and drug distributors) would dispense drugs and be reimbursed for patient services unlawfully as only a pharmacist or a Page 3 of 8

licensed pharmacy may dispense a prescription to a specific patient.

5) **CAP must be a national**, not regional or geographical, program from the start.

6) **CAP must cover all drugs** used in medical oncology including antineoplastics and supportive care drugs (i.e., anti-emetics, growth factors, and antibiotics). New drugs must be included as soon as they are available.

7) CAP prescriptions must not require irrelevant information.

8) CAP vendors must not act as pharmacists or prescription benefit managers.

9) CAP vendors must carry substantial liability insurance and indemnify physicians.

10) CAP vendors, not participating physicians, must track the ultimate use and/or disposition of unused drugs.

11) The transfer of financial risk from the participating physician to the CAP vendor must be complete.

12) Ambiguous terms/phrases in the proposed rule must be clarified.

Read the complete ASCO and ANCO comments at www.anco-online.org/mma.html.

• ASCO's *Legislative Conference* on July 26-27th in Washington, D.C., will feature key legislative and regulatory leaders and face-to-face meetings with legislative representatives. Visit *Cancer Policy* $\dot{\sigma}$ *Clinical Affairs* at www.asco.org for more information.

Visit www.asco.org/mma, www.ancoonline.org/mma.html, or call/e-mail ASCO's billing and coding hotline at (703) 299-1054/practice@asco.org for up-to-date information on changes in coding for drug administration services, as well as billing and payments for drugs. And, join ASCO's Grassroots Advocacy Network at www.asco.org/grassroots_survey.

CMA, MOASC, and State Legislative/Regulatory Issues

[Editor's Note: ANCO and the Medical Oncology Association of Southern California (MOASC) are members of the California Medical Association's (CMA) House of Delegates and Council on Legislation. ANCO and MOASC cooperate on several joint ventures and coordinate activities in the advocacy and membership benefit arenas. Each is represented at the Board meeting of the other.]

Noteware Government Relations represents ANCO (and MOASC) in Sacramento. They report:

• AB654, the physician-assisted suicide bill, continues to be a hotly debated piece of legislation, and a matter of much discussion between legislators, members of the lobbying community, and in the administration. It is awaiting a hearing in the *Assembly Appropriations Committee* before it can be considered for a vote on the *Assembly* Floor. If the bill is to continue this year, it must successfully pass out of *Appropriations* by May 27th.

Contact the ANCO office for ANCO's positions on additional legislation.

CMA's Pain, Palliation, and Politics: Pain Management and End-of-Life Care in California's Regulatory Environment takes place at the San Francisco Airport Marriott Hotel on September 9-10th. Additional information is available at www.cmanet.org (select Conferences, Meetings, Seminars). In addition, CMA and the University of California, San Diego, have launched a unique case-based CME program entitled Pain Management: A Case-Based CME Program for Physicians on DVD that physicians can use to receive their state-mandated 12 hours of Category I CME for pain medicine and end-oflife care. Contact UCSD at (888) 229-6263 for more information.

NHIC/Medicare & DHS/MediCal

[Editor's Note: ANCO meets with National Heritage Insurance Company (NHIC) that administers Medicare in California and the Department of Health Services (DHS) that administers MediCal in California.]

The *Medicare B Resource* (March 2005) is available online at www.medicarenhic.com/ news/provider_news/mbr_mar05.pdf.

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Effective July 1st, CMS and NHIC/Medicare will begin to implement a process by which **non-HIPAA compliant (aka "paper") claims could be denied for providers who do not meet with a waiver or an exception**. The details of this compliance are provided in a MedLearn Matters article available at www.cms.hhs.gov/ medlearn/matters/mmarticles/2005/ MM3440.pdf. Please note that one of the waivers/exceptions to this compliance is for physicians with fewer than ten (10) FTEs that bill a Medicare carrier.

With regard to NHIC/Medicare and MMA in California, ANCO recently received the following information regarding short infusions and concurrent infusions:

CMS recently released CR 3818 that contains the revisions to the 2005 drug administration coding guidelines. Implementation of these revised coding guidelines will help Medicare make prompt and correct payments for drug administration services. The Medlearn article from CMS, which clearly outlines the changes, can be found at www.cms.hhs.gov/medlearn/matters/ mmarticles/2005/MM3818.pdf.

There are several points we would like you to make your members aware of for billing:

1. Short Infusions. This change will not be implemented by the contractors until May 16, for dates of service March 15, 2005 and after. That means that, until that date, any services billed for administration must follow the current definition for use of the push technique. (30 minutes or less). Claims submitted after May 16 will be processed based on the new definition of 15 minutes or less. Physicians may want to hold any claims for infusions of 16 minutes to 30 minutes until the new definition is implemented. After May 16, physicians may request a reopening of their settled claims from March 15 to May 16 to pay those infusion services of 16 to 30 minutes at the proper infusion code. To request a reopening, they may write to:

Medicare Written Inquiries Post Office Box 2006 Chico, CA 95927-2006

They should include a copy of the remittance with the claim identified, and indicate the corrected code. A short letter indicating this is a request for re-opening as a result of CR 3818 will quickly identify the reason for re-opening. Multiple remittances may be submitted at one time.

2. Concurrent Infusions. Medicare will only pay for one concurrent infusion unless it is performed at a second encounter the same day. CMS has indicated that modifier -59 should be used for this, and documentation must accompany the claim. NHIC will accept documentation in the comments field of the electronic claim, or as an attachment on a paper claim. The documentation should clearly indicate the reason for more than one concurrent administration in the same day (for example, second administration visit of day, 2:00 pm; first administration 9:00; second one 2:00). For claims submitted after May 16, physicians should start using modifier -59 for multiple initial infusions on the same day if the patient has to come back for a separately identifiable service on the same day or has two IV lines per protocol.

Visit www.medicarenhic.com/whats_new/ whats_new.shtml to learn **the latest information** (updated weekly) **from NHIC/Medicare**. Weekly updates are also posted on ANCO's WebLog (at www.ancoonline.org/news/index.html; under California News).

ANCO seeks anecdotal evidence with regard to the following administrative, coding, and billing questions vis-à-vis DHS/MediCal:

1. How long does it take DHS/MediCal to accept new HCPCS codes (from the beginning of the year when Medicare accepts them)?

2. Does any delay in DHS/MediCal accepting new HCCS codes cause you to use miscellaneous or otherwise unclassified HCPCS codes?

3. Does DHS/MediCal deny claims (using miscellaneous or otherwise unclassified HCPCS codes) for HCPCS codes accepted by Medicare?

4. Does any DHS/MediCal delay in accepting new HCPCS codes OR any need to use miscellaneous or otherwise unclassified HCPCS codes delay DHS/MediCal beneficiary access to new FDA-approved treatments?

EDUCATION

[Editor's Note: ANCO regularly organizes clinical and professional education meetings throughout the year and throughout Northern California.]

State Affiliate Presidents Reception & UCSF Reception at ASCO Annual Meeting

All ANCO members attending the ASCO Annual Meeting in Orlando next month are invited to attend the State Affiliate Presidents Reception on Sunday, May 15th (5:30-

7:00PM) at the *Ritz-Carlton Orlando Grande Lakes*.

ANCO members are also invited to attend a UCSF reception at the ASCO *Annual Meeting* on Sunday, May 15th (5:30-7:30PM) at the *Ritz-Carlton Orlando Grande Lakes*. Please FAX or email your RSVP to Theresa Warren, UCSF, at (415) 353-9636 or twarren@medicine.ucsf.edu.

ASCO's Practice Management Curriculum

ASCO's *Practice Management Curriculum* is designed to give you information that is critical to your practice. The program includes the following three modules:

Module 1: Adapting to Changes in Medicare. This session focuses on coding and reimbursement changes implemented in 2005 that affect delivery of cancer care in the office setting. ANCO thanks

Berlex Laboratories, Oncology Supply, OSI Pharmaceuticals, Sanofi Aventis Oncology

for supporting clinical and professional education.

Module 2: Generating Practice Efficiencies. This module addresses how your practice can streamline workflow, improve inventory management, and lower cost while maintaining quality of care.

Module 3: Organizing for Service Expansion. Strategies for growth and expansion of your practice in a changing market are discussed in the context of leading and managing a practice.

The ASCO *Practice Management Curriculum* will be offered in conjunction with *Best of ASCO* San Francisco on Thursday, June 16th, from 1:30-5:00PM at the *San Francisco Marriott*. To register, please e-mail mussonk@asco.org or call (703) 519-1413 by Friday, May 20th. Visit www.asco.org/boa for complete registration details.

ASCO's Best of ASCO & Oncology Reimbursement: Past, Present, and Future

> On Friday and Saturday, June 17-18th, ASCO brings its annual *Best of ASCO* program to the *San Francisco Marriott*. Visit www.ancoonline.org to download

registration materials.

ANCO (and MOASC) are hosting a membership event on Friday evening, June 17th. Dean Gesme, M.D., *Past Chair, ASCO Clinical Practice Committee*, will describe some of the reasons why medical oncology practices must change and how these transformational changes can be implemented so as to enhance survival. This event is supported *Berlex Laboratories, Oncology Supply, OSI Pharmaceuticals, Sanofi Aventis Oncology*, and possibly others. Announcements are being mailed in early May (see attached).

Additional Education Meetings

Other meetings of interest to ANCO member practices are:

May 13-17th Annual Meeting

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ASCO Orlando

May 17th, June 7th, June 28th, July 12th, August 16th, September 27th *Finding New ways to Cope with Fatigue* Cancer*Care* (and others) Telephone Education Workshop (www.cancercare.org)

May 18th, June 29th, August 10th, September 21st, November 9th *Improving Your Chemotherapy Experience* Cancer*Care* (and others) Telephone Education Workshop (www.cancercare.org)

May 24th, June 14th *The Third Annual Cancer Survivorship Series: Living With, Through, & Beyond Cancer* Cancer *Care* (and others) Telephone Education Workshop (www.cancercare.org)

May 26th *Multiple Myeloma: Update from ASCO* Cancer*Care* (and others) Telephone Education Workshop (www.cancercare.org)

June 4th

Current Strategies for Pain Management: Integrating Conventional and Complementary Therapies Blue Cross of California & UCSF San Francisco

June 19-25th *Food As Medicine* Center for Mind-Body Medicine Oakland (www.cmbm.org)

Please contact the ANCO office for more information about these meetings.

MEMBERSHIP BENEFITS

[Editor's Note: All ANCO members are eligible for benefits from the California Oncology Consortium (COC) and Hematology Oncology Leadership Network (HOLN).]

ANCO On-Line

ANCO's independent website at **www.anco-online.org** features:

• a general description and introduction to the *Association*, its activities, leadership, and membership benefits.

• advocacy information (including ANCO and ASCO MMA resources).

- clinical and professional education meeting announcements and distributed materials.
- survey reports and publications and WebLog.
- clinical trials information.
- links to affiliated organizations, and updated physician, nurse, manager, and patient resources.

The WebLog (ANCO News On-Line) posts and archives important news for oncology practices on an almost daily basis. Among the additional news topics covered at www.ancoonline.org/news/index.html are:

- ACCC Alerts
- ANCO meeting announcements
- ASCO's e-News, MMA Special Alerts, and MMA Todays
- CMA Alerts
- CMS/Medicare Website Updates
- NHIC/Medicare Website Updates

ANCO urges its members to bookmark www.anco-online.org/news/index.html (or subscribe to www.anco-online.org/news/ rss.xml using your favorite news reader software; e.g., RssReader for Windows or NetNewsWire for Macintosh) and refer to it often.

ASSOCIATION NEWS

Board of Directors

The ANCO *Board of Directors* meets regularly by teleconference and occasionally in person to discuss issues affecting the *Association*, clinical and professional education, and ways to better serve the membership. *Board* meetings are open to the individual physician members. The **next regularly** scheduled ANCO *Board of Directors* teleconference will take place on May 11th. Please call José Luis González, *ANCO Executive*

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Director, at (415) 472-3960 if you wish to participate in a future meeting.

Individual Member News

The ANCO Directory of Members & Membership

Information 2004 was published and mailed to all physician members; nurse and office manager contacts; and, Corporate Member representatives last June. Additional copies are available from the ANCO office upon request. The next *Directory* will be published in June 2005.

The following update(s) to the *Directory* should be inserted in the appropriate location(s):

ALPHABETICAL DIRECTORY OF PHYSICIAN MEMBERS

Henry Rex Greene, M.D.

404 Greenbrier Road Half Moon Bay, CA 94019 Contact(s): Sheila Littrell, R.N. Telephone: (650) 696-4514 FAX: (650) 696-4085 greeneh@sutterhealth.org

Barbara McAneny, M.D.

New Mexico Oncology Hematology Consultants 4901 Lange North East Albuquerque, CA 95204 *Contact(s): Tonya Schuhing Telephone: (509) 842-8171 FAX: (509) 246-0684 mcaneny@nmohc.com*

ALPHABETICAL DIRECTORY OF NURSE & OFFICE MANAGER CONTACTS

Sheila Littrell, R.N.

404 Greenbrier Road Half Moon Bay, CA 94019 *Telephone: (650) 696-4514 FAX: (650) 696-4085*

Tonya Schuhing

New Mexico Oncology Hematology Consultants 4901 Lange North East Albuquerque, CA 95204 *Telephone: (509) 842-8171 FAX: (509) 246-0684*

Corporate Member News

ANCO thanks the following **Corporate Members** for their generous support that enables ANCO to grow and expand its services for the oncology community in Northern California, and to provide its members and their patients with substantial benefits in the areas of advocacy, education, and information dissemination:

AMGEN • APP/Abraxis Oncology AstraZeneca • Bayer Biologicals Berlex Laboratories • biogenIDEC Bristol-Myers Squibb Oncology Cell Therapeutics • Chiron Corporation Enzon Pharmaceuticals Genentech BioOncology Genitope Corporation • Genomic Health *GlaxoSmithKline* International Oncology Network Lash Group Healthcare Consultants *Ligand Pharmaceuticals* • *Lilly Oncology* Matrix Oncology • MedImmune Oncology MGI Pharma • Millennium National Oncology Alliance Novartis Oncology • Oncology Supply Oncology Therapeutics Network Oncotech • Ortho Biotech OSI Pharmaceuticals • Pfizer Oncology Roche Oncology • Sanofi Aventis Oncology Schering-Plough Oncology • SuperGen US Oncology • Wyeth Oncology

We especially wish to thank and welcome *Enzon Pharmaceuticals* as new Corporate Member in 2005.

International Oncology Network is offering *Protocol Analyzer Tool* training on Tuesday, May 24th. Contact ION at (505) 995-8547 for additional information.

Oncology Supply is offering a series of audio conferences entitled The Reengineering of Coding and Reimbursement in Oncology Practices on Tuesdays, Wednesdays, and Thursdays in May. Please contact your OS representative or the ANCO office for additional details.

US Oncology's Oncology Practice Education Series next webcast will take place on Wednesday, May 18th at 1PM. The topic will be *Risk Management Pro Active Options for Insurance*. For more information, contact *US Oncology* at (800) 554-3517.

Institutional Member News

ANCO thanks the following **Institutional Members** for their support:

- Stanford University Medical Oncology
- University of California, Davis,
- Cancer Center

• University of California, San Francisco

ANCO members can obtain information about Institutional Member's clinical trials, including the latest edition of UCSF's *GI Oncology Trials Newsletter*, at www.anco-online.org/trials.html.

UCSF's *Pain Management and End-of-Life Care* takes place in San Francisco on June 9-10th. This course is designed for all physicians, nurses, and pharmacists who care for patients in pain or with life-threatening illness. It meets California's requirement that physicians take 12 hours of CME in pain and palliative care. Visit www.cme.ucsf.edu/cme/ CourseDetail.aspx?coursenumber=DMM05513 for more information.

UCD's online CME pain management courses are now available at www.ucdmc.ucdavis.edu/ cme/DistEd/WebEvents/PainEvents.htm. In addition, UCD is offering several live pain management courses in California and Hawaii. Visit www.ucdmc.ucdavis.edu/cme/Confrnce/ Confrnce.htm for additional information.

ASCO, in collaboration with the *National Cancer Institute* and the EPEC (Education in Palliative and End-of-Life Care) Project at *Northwestern University*, is offering a comprehensive workshop to help optimize care for patients throughout the course of their illness. The EPEC-O *Train-the-Trainer Workshop* will be held on June 13-15th at the *Hyatt Regency* in Reston, Virginia, and is limited to 100 participants. For more information, visit, www.asco.org/meetings.

Publications, Services, & Surveys

ANCO is repeating its **MMA** *Impact Survey* in May. Data collected will be compared with that collected in the 4th quarter 2004. Please be sure

to complete and return the ANCO MMA *Impact Survey* at your earliest possible convenience.

Membership Dues for 2005

Final notices of membership renewal were mailed in early May 2005. Return your 2005 membership dues to ANCO at your earliest convenience and renew your membership for 2005 as soon as possible. Be sure to take advantage of dues discounts and provide ANCO with the name(s) of office and/or nurse manager contact(s). Those not renewing their membership by June 1st will be deleted from the *Directory of Members*, will no longer be eligible for participation in ANCO's discounted pharmaceutical pricing programs, or receive any other ANCO benefits. Contact the ANCO office if you did not receive or misplaced your membership dues renewal notice.

ANCO seeks new members. All members of a practice should join ANCO. Provide the ANCO office with the names and addresses of colleagues you would like invited to join ANCO.

A larger ANCO is a stronger ANCO!