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**Medicare Advantage Policy Manual** 

# Investigational (Experimental) Services, New and Emerging Medical Technologies and Procedures, and Other Non-Covered Services

Published: 01/01/2025

Policy ID: M-MED149

Next Review: 11/2025

Last Review: 01/2025 *Medicare Link(s) Revised: 01/01/2025* 

#### IMPORTANT REMINDER

The Medicare Advantage Medical Policy manual is not intended to override the member Evidence of Coverage (EOC), which defines the insured's benefits, nor is it intended to dictate how providers are to practice medicine. Physicians and other health care providers are expected to exercise their medical judgment in providing the most appropriate care for the individual member.

The Medicare Advantage Medical Policies are designed to provide guidance regarding the decision-making process for the coverage or non-coverage of services or procedures in accordance with the member EOC and the Centers of Medicare and Medicaid Services (CMS) policies, when available. In the event of a conflict, applicable CMS policy or EOC language will take precedence over the Medicare Advantage Medical Policy. In the absence of CMS guidance for a requested service or procedure, the health plan may apply their Medical Policy Manual or MCG<sup>TM</sup> criteria, both of which are developed with an objective, evidence-based process using scientific evidence, current generally accepted standards of medical practice, and authoritative clinical practice guidelines.

Medicare and EOCs exclude from coverage, among other things, services or procedures considered to be investigational, cosmetic, or not medically necessary, and in some cases, providers may bill members for these non-covered services or procedures. Providers are encouraged to inform members in advance when they may be financially responsible for the cost of non-covered or excluded services.

#### **DESCRIPTION**

#### **INVESTIGATIONAL (EXPERIMENTAL) SERVICES**

Title XVIII of the Social Security Act, §1862(a)(1)(A) prohibits Medicare coverage for items and services which are not "reasonable and necessary" for the diagnosis and treatment of an injury or illness or to improve the functioning of a malformed body member. According to the *Medicare Claims Processing Manual, Chapter 23, §30.A*, if a procedure or device lacks scientific evidence regarding safety and efficacy because it is investigational or experimental, the service is noncovered because it is not reasonable and necessary to treat illness or injury.<sup>[1]</sup>

In the absence of a national coverage determination (NCD), local coverage determination (LCD), or other Medicare coverage guidance, Medicare regulations allow a Medicare Advantage Organization (MAO) to make its own coverage determination, applying an objective, evidence-based process, based on authoritative evidence.<sup>[2]</sup>

It is important to note the presence of a payment amount in the Medicare Physicians' Fee Schedule (MPFS) does not imply that Medicare has determined the service to be a "reasonable and necessary" covered service. In addition, according to the Medicare Benefit Policy Manual, Chapter 14, while U.S. Food and Drug Administration (FDA) approval does not automatically guarantee coverage under Medicare, in order to even be *considered* for coverage under Medicare, devices must be either FDA- or Institutional Review Board (IRB)-approved. Therefore, any device that has not received FDA-approval would not be considered medically reasonable or necessary. The FDA reviews data from well-designed studies and clinical trials in order to determine safety and effectiveness prior to approval for sale, but does not establish medical necessity of that device or drug. While Medicare may adopt FDA determinations regarding safety and effectiveness, CMS or Medicare contractors evaluate whether or not the drug or device is reasonable and necessary for the Medicare population under §1862(a)(1)(A). (Note, not all services or procedures are subject to FDA review and approval.)

Requests for health care services, treatments, procedures, or devices that are not addressed in an NCD, LCD, or other Medicare reference, or not specified as "covered" in Medicare benefit manuals or other transmittals may be reviewed to ensure sufficient evidence regarding safety and efficacy is available, ensuring the services are medically reasonable and necessary for members. (See the "Policy Guidelines" below for important notes regarding Medicare and investigational services.)

#### MEDICARE ADVANTAGE POLICY CRITERIA

**Note:** For services provided in the context of a clinical trial, or medical devices related to Category A or B Investigational Device Exemption (IDE) studies, please see Cross References

Procedures and items that are subject to Coverage with Evidence Development (CED) criteria may be addressed in separate Medicare Advantage medical policies when those services are reviewed by the health plan. [4] National coverage determinations (NCDs) that require CED can be found on the CMS web page for <u>Coverage with Evidence Development</u>. (See Cross References)

The following are new and emerging medical technologies reported with Category III CPT codes. These codes are generally created to track new, unproven therapies, devices, and tests. There are a number of reasons a service may be non-covered, including but not limited to, national coverage determination (NCD) guidance, lack of FDA approval, or the

service is not considered "medically reasonable or necessary" under Title XVIII of the Social Security Act, §1862(a)(1)(A).

**IMPORTANT NOTE:** This list is not intended to be an all-inclusive list. Some procedures may be addressed in specific Medicare Advantage medical policies and therefore, would not be included in this Medicare medical policy, but the same rationale in this policy could apply. Other services not included in this list may also be non-covered. The absence or removal of a code from this medical policy does not imply coverage.

Codes	Number	Description & Manufacturer Information (when applicable)	Non-Coverage Rationale
CPT	0219T	Placement of a posterior intrafacet implant(s), unilateral or bilateral, including imaging and placement of bone graft(s) or synthetic device(s), single level; cervical (e.g., NuFix [NUTECH SPINE, Inc.] or TruFUSE®)	Noridian local coverage article <i>Billing and Coding:</i> Facet Joint Interventions for Pain Management (A58405)
	0220T	; thoracic	
	0221T	; lumbar	
	0222T	; each additional vertebral segment (List separately in addition to code for primary procedure)	
	0443T	Real-time spectral analysis of prostate tissue by fluorescence spectroscopy, including imaging guidance (List separately in addition to code for primary procedure) (e.g., Precision Biopsy ClariCore Optical Biopsy System®)	As of most recent review, this has not received FDA-approval
	0444T	Initial placement of a drug-eluting ocular insert under one or more eyelids, including fitting, training, and insertion, unilateral or bilateral	As of most recent review, this has not received FDA-approval
	0445T	Subsequent placement of a drug-eluting ocular insert under one or more eyelids, including re-training, and removal of existing insert, unilateral or bilateral	
	0469T	Retinal polarization scan, ocular screening with on-site automated results, bilateral	Medicare Status "N" code; Therefore, non-covered for Medicare and Medicare Advantage
	0481T	Injection(s), autologous white blood cell concentrate (autologous protein solution), any site, including image guidance, harvesting and preparation, when performed	As of most recent review, this has not received FDA-approval

Insertion of wireless cardiac stimulator for left ventricular pacing, including device interrogation and programming, and imaging supervision and interpretation, when performed; complete system (includes electrode and generator [transmitter and battery]) (e.g., WiSE™ CRT System [EBR Systems, Inc])

As of most recent review, this has not received FDA-approval

0516T ; electrode only

0517T Insertion of wireless cardiac stimulator for left ventricular pacing, including device interrogation and programming, and imaging supervision and interpretation, when

supervision and interpretation, when performed; both component(s) of pulse generator (battery and transmitter) only

0518T Removal of pulse generator for wireless cardiac stimulator for left ventricular

pacing; battery component only

0519T Removal and replacement of pulse

generator for wireless cardiac stimulator for left ventricular pacing, including device interrogation and programming; both components (battery and transmitter)

0520T Removal and replacement of pulse

generator for wireless cardiac stimulator for left ventricular pacing, including device interrogation and programming; battery

component only

0521T Interrogation device evaluation (in person)

with analysis, review and report, includes connection, recording, and disconnection per

patient encounter, wireless cardiac stimulator for left ventricular pacing (e.g., WiSE™ CRT System [EBR Systems, Inc])

O522T Programming device evaluation (in person)

with iterative adjustment of the implantable device to test the function of the device and select optimal permanent programmed values with analysis, including review and report, wireless cardiac stimulator for left ventricular pacing (e.g., WiSE<sup>TM</sup> CRT

System [EBR Systems, Inc])

0547T	Bone-material quality testing by microindentation(s) of the tibia(s), with results reported as a score (e.g., OsteoProbe® [Active Life Scientific, Inc.])	As of most recent review, this has not received FDA-approval	
0553T	Percutaneous transcatheter placement of iliac arteriovenous anastomosis implant, inclusive of all radiological supervision and interpretation, intraprocedural roadmapping, and imaging guidance necessary to complete the intervention (Deleted 01/01/2025)	As of most recent review, this has not received FDA-approval	
0559T	Anatomic model 3D-printed from image data set(s); first individually prepared and processed component of an anatomic structure	Not medically reasonable or necessary under Medicare and §1862(a)(1)(A). This is to	
0560T	; each additional individually prepared and processed component of an anatomic structure (List separately in addition to code for primary procedure)	plan a surgery, it does not "treat or diagnosis" an illness or injury.	
0561T	Anatomic guide 3D-printed and designed from image data set(s); first anatomic guide	Codes 0559T-0562T are for services which provide a printed physical multi-	
0562T	; each additional anatomic guide (List separately in addition to code for primary procedure)	dimensional model of a patient's anatomy to aid in the planning of surgical procedures.	
<del>0567T</del>	Permanent fallopian tube occlusion with degradable biopolymer implant, transcervical approach, including transvaginal ultrasound (e.g., FemBloc® [Femasys, Inc.]) (Deleted 01/01/2025)	As of most recent review, this has not received FDA-approval.	
<del>0568T</del>	Introduction of mixture of saline and air for sonosalpingography to confirm occlusion of fallopian tubes, transcervical approach, including transvaginal ultrasound and pelvic ultrasound (e.g., FemBloc® [Femasys, Inc.]) (Deleted 01/01/2025)	As of most recent review, this has not received FDA-approval.	
0571T	Insertion or replacement of implantable cardioverter-defibrillator system with substernal electrode(s), including all imaging guidance and electrophysiological evaluation (includes defibrillation threshold evaluation, induction of arrhythmia, evaluation of	As of most recent review, this has not received FDA-approval.	

sensing for arrhythmia termination, and programming or reprogramming of sensing or therapeutic parameters), when performed

0572T Insertion of substernal implantable

defibrillator electrode

0574T Repositioning of previously implanted

substernal implantable defibrillator-pacing

electrode

0575T Programming device evaluation (in person)

of implantable cardioverter-defibrillator system with substernal electrode, with iterative adjustment of the implantable device to test the function of the device and select optimal permanent programmed values with analysis, review and report by a physician or other qualified health care

professional

0576T Interrogation device evaluation (in person) of

implantable cardioverter-defibrillator system with substernal electrode, with analysis, review and report by a physician or other qualified health care professional, includes connection, recording and disconnection per

patient encounter

0577T Electrophysiologic evaluation of implantable

cardioverter defibrillator system with substernal electrode (includes defibrillation threshold evaluation, induction of arrhythmia,

evaluation of sensing for arrhythmia termination, and programming or

reprogramming of sensing or therapeutic

parameters)

0578T Interrogation device evaluation(s) (remote),

up to 90 days, substernal lead implantable cardioverter-defibrillator system with interim analysis, review(s) and report(s) by a physician or other qualified health care

professional

0579T Interrogation device evaluation(s) (remote),

up to 90 days, substernal lead implantable cardioverter-defibrillator system, remote data acquisition(s), receipt of transmissions and technician review, technical support and

distribution of results

0582T	Transurethral ablation of malignant prostate tissue by high-energy water vapor thermotherapy, including intraoperative imaging and needle guidance	As of most recent review, this has not received FDA-approval.
0602T	Glomerular filtration rate (GFR) measurement(s), transdermal, including sensor placement and administration of a single dose of fluorescent pyrazine agent (e.g., Transdermal GFR System [MediBeacon])	As of most recent review, this has not received FDA-approval.
0603T	Glomerular filtration rate (GFR) monitoring, transdermal, including sensor placement and administration of more than one dose of fluorescent pyrazine agent, each 24 hours	
0604T	Optical coherence tomography (OCT) of retina, remote, patient-initiated image capture and transmission to a remote surveillance center unilateral or bilateral; initial device provision, set-up and patient education on use of equipment (e.g., Home OCT [Notal Vision])	As of most recent review, this has not received FDA-approval.
0605T	Optical coherence tomography (OCT) of retina, remote, patient-initiated image capture and transmission to a remote surveillance center unilateral or bilateral; remote surveillance center technical support, data analyses and reports, with a minimum of 8 daily recordings, each 30 days	
0606T	Optical coherence tomography (OCT) of retina, remote, patient-initiated image capture and transmission to a remote surveillance center unilateral or bilateral; review, interpretation and report by the prescribing physician or other qualified health care professional of remote surveillance center data analyses, each 30 days	
0613T	Percutaneous transcatheter implantation of interatrial septal shunt device, including right and left heart catheterization, intracardiac echocardiography, and imaging guidance by the proceduralist, when performed (e.g., V-Wave Shunt [V-Wave Medical])	As of most recent review, this has not received FDA-approval.

0614T Removal and replacement of substernal As of most recent review, implantable defibrillator pulse generator this has not received FDA-approval. 0620T Endovascular venous arterialization, tibial or As of most recent review, peroneal vein, with transcatheter placement this has not received of intravascular stent graft(s) and closure by FDA-approval. any method, including percutaneous or open vascular access, ultrasound guidance for vascular access when performed, all catheterization(s) and intraprocedural roadmapping and imaging guidance necessary to complete the intervention, all associated radiological supervision and interpretation, when performed (e.g., LimFlow Stent Graft System) 0627T Percutaneous injection of allogeneic cellular As of most recent review, and/or tissue-based product, intervertebral this has not received disc, unilateral or bilateral injection, with FDA-approval. fluoroscopic guidance, lumbar; first level (e.g., Viable Allograft Supplemental Disc Regeneration [VAST] [Via Disc] [Vivex Biologics]) 0628T ; each additional level (List separately in addition to code for primary procedure) 0629T Percutaneous injection of allogeneic cellular and/or tissue-based product, intervertebral disc, unilateral or bilateral injection, with CT guidance, lumbar; first level 0630T ; each additional level (List separately in addition to code for primary procedure) 0631T Transcutaneous visible light hyperspectral Not medically reasonable imaging measurement of oxyhemoglobin, or necessary under deoxyhemoglobin, and tissue oxygenation, Medicare and with interpretation and report, per extremity §1862(a)(1)(A). This is (e.g., HyperView™ [HyperMed Imaging, used to determine Inc.]) oxygenation levels in superficial tissues for patients with potential circulatory compromise, but it does not "treat or diagnosis" an illness or injury.

0632T Percutaneous transcatheter ultrasound As of most recent review, ablation of nerves innervating the pulmonary this has not received arteries, including right heart catheterization, FDA-approval. pulmonary artery angiography, and all imaging guidance (e.g., Therapeutic IntraVascular UltraSound [TIVUS™; SoniVie Ltd.]) 0639T Wireless skin sensor thermal anisotropy As of most recent review, measurement(s) and assessment of flow in this has not received cerebrospinal fluid shunt, including FDA-approval. ultrasound guidance, when performed (e.g., Flowsense™ [Rhaeos]) 0640T Noncontact near-infrared spectroscopy (eg, Not medically reasonable for measurement of deoxyhemoglobin, or necessary under oxyhemoglobin, and ratio of tissue Medicare and oxygenation), other than for screening for §1862(a)(1)(A). This is peripheral arterial disease, image used to determine acquisition, interpretation, and report; first oxygenation levels in anatomic site superficial tissues for patients with potential circulatory compromise, but it does not "treat or diagnosis" an illness or injury. 0645T Transcatheter implantation of coronary sinus In October 2020, FDA reduction device including vascular access panel summary indicating and closure, right heart catheterization, no clear evidence of venous angiography, coronary sinus effectiveness or angiography, imaging guidance, and benefit/harm ratio. (FDA supervision and interpretation, when web page) Procedures performed (e.g., Neovasc Reducer ™ which lack scientific System) evidence regarding safety and efficacy are noncovered by Medicare as they are considered not reasonable or necessary (Medicare Claims Processing Manual, Ch. 23, §30 A) under the Social Security Act Sec.1862 (a)(1)(A). 0660T Implantation of anterior segment intraocular As of most recent review, this has not received nonbiodegradable drug-eluting system, internal approach FDA-approval.

0661T	Removal and reimplantation of anterior segment intraocular nonbiodegradable drugeluting implant	
0672T	Endovaginal cryogen-cooled, monopolar radiofrequency remodeling of the tissues surrounding the female bladder neck and proximal urethra for urinary incontinence	As of most recent review, this has not received FDA-approval.
0674T	Laparoscopic insertion of new or replacement of permanent implantable synchronized diaphragmatic stimulation system for augmentation of cardiac function, including an implantable pulse generator and diaphragmatic lead(s)	
0675T	Laparoscopic insertion of new or replacement of diaphragmatic lead(s), permanent implantable synchronized diaphragmatic stimulation system for augmentation of cardiac function, including connection to an existing pulse generator; first lead	
0676T	Laparoscopic insertion of new or replacement of diaphragmatic lead(s), permanent implantable synchronized diaphragmatic stimulation system for augmentation of cardiac function, including connection to an existing pulse generator; each additional lead	
0677T	Laparoscopic repositioning of diaphragmatic lead(s), permanent implantable synchronized diaphragmatic stimulation system for augmentation of cardiac function, including connection to an existing pulse generator; first repositioned lead	
0678T	Laparoscopic repositioning of diaphragmatic lead(s), permanent implantable synchronized diaphragmatic stimulation system for augmentation of cardiac function, including connection to an existing pulse generator; each additional repositioned lead (List separately in addition to code for primary procedure)	
0679T	Laparoscopic removal of diaphragmatic lead(s), permanent implantable synchronized diaphragmatic stimulation system for augmentation of cardiac function	
0680T	Insertion or replacement of pulse generator only, permanent implantable synchronized diaphragmatic stimulation system for augmentation of cardiac function, with	
0681T	connection to existing lead(s) Relocation of pulse generator only, permanent implantable synchronized diaphragmatic stimulation system for	

augmentation of cardiac function, with connection to existing dual leads Removal of pulse generator only, permanent 0682T implantable synchronized diaphragmatic stimulation system for augmentation of cardiac function Programming device evaluation (in-person) 0683T with iterative adjustment of the implantable device to test the function of the device and select optimal permanent programmed values with analysis, review and report by a physician or other qualified health care professional, permanent implantable synchronized diaphragmatic stimulation system for augmentation of cardiac function Peri-procedural device evaluation (in-0684T person) and programming of device system parameters before or after a surgery, procedure, or test with analysis, review, and report by a physician or other qualified health care professional, permanent implantable synchronized diaphragmatic stimulation system for augmentation of cardiac function Interrogation device evaluation (in-person) 0685T with analysis, review and report by a physician or other qualified health care professional, including connection, recording and disconnection per patient encounter, permanent implantable synchronized diaphragmatic stimulation system for augmentation of cardiac function Histotripsy (ie, non-thermal ablation via 0686T acoustic energy delivery) of malignant hepatocellular tissue, including image guidance Quantitative magnetic resonance for 0697T This is not a magnetic analysis of tissue composition (eg, fat, iron, resonance procedure water content), including multiparametric covered under the data acquisition, data preparation and Medicare NCD 220.2. Not transmission, interpretation and report, medically reasonable or obtained without diagnostic MRI examination necessary under of the same anatomy (eg, organ, gland, tissue, target structure) during the same Medicare and session; multiple organs §1862(a)(1)(A). This analyzes body composition to determine if more invasive procedures (i.e., biopsies) are needed, it does not

"treat or diagnosis" an

illness or injury.

0698T	Quantitative magnetic resonance for analysis of tissue composition (eg, fat, iron, water content), including multiparametric data acquisition, data preparation and transmission, interpretation and report, obtained with diagnostic MRI examination of the same anatomy (eg, organ, gland, tissue, target structure); multiple organs (List separately in addition to code for primary procedure)	This is not a magnetic resonance procedure covered under the Medicare NCD 220.2. Not medically reasonable or necessary under Medicare and §1862(a)(1)(A). This analyzes body composition to determine if more invasive procedures (i.e., biopsies) are needed, it does not "treat or diagnosis" an illness or injury.
0719T	Posterior vertebral joint replacement, including bilateral facetectomy, laminectomy, and radical discectomy, including imaging guidance, lumbar spine, single segment	As of most recent review, has not received FDA-approval.
0725T	Vestibular device implantation, unilateral	Does not fall under audiological diagnostic testings as defined by Medicare Benefit Policy Manual, Chap. 15, Section 80.3.
		As of most recent review, has not received FDA-approval.
0726T	Removal of implanted vestibular device, unilateral	
0727T	Removal and replacement of implanted vestibular device, unilateral	
0728T	Diagnostic analysis of vestibular implant, unilateral; with initial programming	
0729T	Diagnostic analysis of vestibular implant, unilateral; with subsequent programming	
0732T	Immunotherapy administration with electroporation, intramuscular	As of most recent review, has not received FDA-approval.
0738T	Treatment planning for magnetic field induction ablation of malignant prostate tissue, using data from previously performed magnetic resonance imaging (MRI) examination	As of most recent review, has not received FDA-approval.
0739T	Ablation of malignant prostate tissue by magnetic field induction, including all	

0744T	intraprocedural, transperineal needle/catheter placement for nanoparticle installation and intraprocedural temperature monitoring, thermal dosimetry, bladder irrigation, and magnetic field nanoparticle activation Insertion of bioprosthetic valve, open, femoral vein, including duplex ultrasound imaging guidance, when performed, including autogenous or nonautogenous	As of most recent review, has not received FDA-approval.
0745T	patch graft (eg, polyester, ePTFE, bovine pericardium), when performed Cardiac focal ablation utilizing radiation	As of most recent review,
	therapy for arrhythmia; noninvasive arrhythmia localization and mapping of arrhythmia site (nidus), derived from anatomical image data (eg, CT, MRI, or myocardial perfusion scan) and electrical data (eg, 12-lead ECG data), and identification of areas of avoidance	has not received FDA-approval.
0746T	Cardiac focal ablation utilizing radiation therapy for arrhythmia; conversion of arrhythmia localization and mapping of arrhythmia site (nidus) into a multidimensional radiation treatment plan	
0747T	Cardiac focal ablation utilizing radiation therapy for arrhythmia; delivery of radiation therapy, arrhythmia	
0748T	Injections of stem cell product into perianal perifistular soft tissue, including fistula preparation (eg, removal of setons, fistula curettage, closure of internal openings)	As of most recent review, has not received FDA-approval.
0764T	Assistive algorithmic electrocardiogram risk-based assessment for cardiac dysfunction (eg, low-ejection fraction, pulmonary hypertension, hypertrophic cardiomyopathy); related to concurrently performed electrocardiogram (List separately in addition to code for primary procedure)	
0765T	Assistive algorithmic electrocardiogram risk-based assessment for cardiac	

	dysfunction (eg, low-ejection fraction, pulmonary hypertension, hypertrophic cardiomyopathy); related to previously performed electrocardiogram	
0770T	Virtual reality technology to assist therapy (List separately in addition to code for primary procedure)	As of most recent review, has not received FDA-approval.
0776T	Therapeutic induction of intra-brain hypothermia, including placement of a mechanical temperature-controlled cooling device to the neck over carotids and head, including monitoring (eg, vital signs and sport concussion assessment tool 5 [SCAT5]), 30 minutes of treatment	As of most recent review, has not received full FDA-approval.
0781T	Bronchoscopy, rigid or flexible, with insertion of esophageal protection device and circumferential radiofrequency destruction of the pulmonary nerves, including fluoroscopic guidance when performed; bilateral mainstem bronchi	As of most recent review, has not received FDA-approval.
0782T	Bronchoscopy, rigid or flexible, with insertion of esophageal protection device and circumferential radiofrequency destruction of the pulmonary nerves, including fluoroscopic guidance when performed; unilateral mainstem bronchus	
0793T	Percutaneous transcatheter thermal ablation of nerves innervating the pulmonary arteries, including right heart catheterization, pulmonary artery angiography, and all imaging guidance	As of most recent review, this has not received FDA-approval.
0794T	Patient-specific, assistive, rules-based algorithm for ranking pharmaco-oncologic treatment options based on the patient's tumor-specific cancer marker information obtained from prior molecular pathology, immunohistochemical, or other pathology results which have been previously interpreted and reported separately	Noridian local coverage article Algorithm definition as a component of a laboratory test (A58674). Medical necessity has not been demonstrated for this algorithm.
0811T 0812T	Remote multi-day complex uroflowmetry (eg, calibrated electronic equipment); setup and patient education on use of equipment Remote multi-day complex uroflowmetry (eg,	Not medically reasonable or necessary under Medicare and
30121	calibrated electronic equipment); device supply with automated report generation, up to 10 days	§1862(a)(1)(A). This is used to monitor urine flow remotely, but it does not

illness or injury. Percutaneous injection of calcium-based 0814T As of most recent review, biodegradable osteoconductive material, this has not received proximal femur, including imaging guidance, FDA-approval. unilateral Noncontact near-infrared spectroscopy (eg, 0859T Not medically reasonable for measurement of deoxyhemoglobin, or necessary under oxyhemoglobin, and ratio of tissue Medicare and oxygenation), other than for screening for §1862(a)(1)(A). This is peripheral arterial disease, image used to determine acquisition, interpretation, and report; each additional anatomic site (List separately in oxygenation levels in addition to code for primary procedure) superficial tissues for Noncontact near-infrared spectroscopy (eg. 0860T patients with potential for measurement of deoxyhemoglobin, circulatory compromise, oxyhemoglobin, and ratio of tissue but it does not "treat or oxygenation), for screening for peripheral diagnosis" an illness or arterial disease, including provocative injury. maneuvers, image acquisition, interpretation, and report, one or both lower extremities Removal of pulse generator for wireless 0861T As of most recent review, cardiac stimulator for left ventricular pacing; this has not received both components (battery and transmitter) FDA-approval. Relocation of pulse generator for wireless 0862T cardiac stimulator for left ventricular pacing, including device interrogation and programming; battery component only Relocation of pulse generator for wireless 0863T cardiac stimulator for left ventricular pacing, including device interrogation and programming; transmitter component only Quantitative magnetic resonance image 0865T Not medically reasonable (MRI) analysis of the brain with comparison or necessary under to prior magnetic resonance (MR) study(ies). Medicare and including lesion identification, §1862(a)(1)(A). This characterization, and quantification, with quantifies procedure and brain volume(s) quantification and/or severity score, when performed, data preparation characterizes brain and transmission, interpretation and report, lesions. It does not "treat obtained without diagnostic MRI examination or diagnosis" an illness or of the brain during the same session injury. Quantitative magnetic resonance image 0866T Not medically reasonable (MRI) analysis of the brain with comparison or necessary under to prior magnetic resonance (MR) study(ies), Medicare and including lesion detection, characterization, §1862(a)(1)(A). This and quantification, with brain volume(s) quantifies procedure and quantification and/or severity score, when performed, data preparation and characterizes brain transmission, interpretation and report, lesions. It does not "treat obtained with diagnostic MRI examination of or diagnosis" an illness or injury.

"treat or diagnosis" an

0870T	the brain (List separately in addition to code for primary procedure) Implantation of subcutaneous peritoneal ascites pump system, percutaneous, including pump-pocket creation, insertion of tunneled indwelling bladder and peritoneal catheters with pump connections, including all imaging and initial programming, when performed	As of most recent review, this has not received FDA-approval.
0871T	Replacement of a subcutaneous peritoneal ascites pump, including reconnection between pump and indwelling bladder and peritoneal catheters, including initial programming and imaging, when performed	
0872T	Replacement of indwelling bladder and peritoneal catheters, including tunneling of catheter(s) and connection with previously implanted peritoneal ascites pump, including imaging and programming, when performed	
0873T	Revision of a subcutaneously implanted peritoneal ascites pump system, any component (ascites pump, associated peritoneal catheter, associated bladder catheter), including imaging and programming, when performed	
0875T	Programming of subcutaneously implanted peritoneal ascites pump system by physician or other qualified health care professional	
0876T	Duplex scan of hemodialysis fistula, computer-aided, limited (volume flow, diameter, and depth, including only body of fistula)	As of most recent review, this has not received FDA-approval.
0881T	Cryotherapy of the oral cavity using temperature regulated fluid cooling system, including placement of an oral device, monitoring of patient tolerance to treatment, and removal of the oral device	As of most recent review, this has not received FDA-approval.
0884T	Esophagoscopy, flexible, transoral, with initial transendoscopic mechanical dilation (eg, nondrug-coated balloon) followed by therapeutic drug delivery by drug-coated balloon catheter for esophageal stricture, including fluoroscopic guidance, when performed	As of most recent review, this has not received FDA-approval.
0885T	Colonoscopy, flexible, with initial transendoscopic mechanical dilation (eg, nondrug-coated balloon) followed by therapeutic drug delivery by drug-coated balloon catheter for colonic stricture, including fluoroscopic guidance, when performed	
0886T	Sigmoidoscopy, flexible, with initial transendoscopic mechanical dilation (eg, nondrug-coated balloon) followed by	

0888T	therapeutic drug delivery by drug-coated balloon catheter for colonic stricture, including fluoroscopic guidance, when performed Histotripsy (ie, non-thermal ablation via acoustic energy delivery) of malignant renal tissue, including imaging guidance	As of most recent review, this has not received FDA-approval.
0893T	Noninvasive assessment of blood oxygenation, gas exchange efficiency, and cardiorespiratory status, with physician or other qualified health care professional interpretation and report	Not medically reasonable or necessary under Medicare and §1862(a)(1)(A). This is used to determine oxygenation levels in superficial tissues for patients with potential circulatory compromise, but it does not "treat or diagnosis" an illness or injury.
0898T	Noninvasive prostate cancer estimation map, derived from augmentative analysis of image-guided fusion biopsy and pathology, including visualization of margin volume and location, with margin determination and physician interpretation and report	Not medically reasonable or necessary under Medicare and §1862(a)(1)(A). does not "treat or diagnosis" an illness or injury.
0901T	Placement of bone marrow sampling port, including imaging guidance when performed	As of most recent review, this has not received FDA-approval.
0915T	Insertion of permanent cardiac contractility modulation-defibrillation system component(s), including fluoroscopic guidance, and evaluation and programming of sensing and therapeutic parameters; pulse generator and dual transvenous electrodes/leads (pacing and defibrillation)	As of most recent review, this has not received FDA-approval.
0916T	Insertion of permanent cardiac contractility modulation-defibrillation system component(s), including fluoroscopic guidance, and evaluation and programming of sensing and therapeutic parameters; pulse generator only	
0917T	Insertion of permanent cardiac contractility modulation-defibrillation system component(s), including fluoroscopic guidance, and evaluation and programming of sensing and therapeutic parameters; single transvenous lead (pacing or defibrillation) only	
0918T	Insertion of permanent cardiac contractility modulation-defibrillation system component(s), including fluoroscopic guidance, and evaluation and programming of sensing and therapeutic parameters; dual	

	transvenous leads (pacing and defibrillation)
0919T	only  Removal of a permanent cardiac contractility modulation-defibrillation system
	component(s); pulse generator only
0920T	Removal of a permanent cardiac contractility
	modulation-defibrillation system
	component(s); single transvenous pacing
	lead only
0921T	Removal of a permanent cardiac contractility
	modulation-defibrillation system component(s); single transvenous
	defibrillation lead only
0922T	Removal of a permanent cardiac contractility
09221	modulation-defibrillation system
	component(s); dual (pacing and
	defibrillation) transvenous leads only
0923T	Removal and replacement of permanent
	cardiac contractility modulation-defibrillation
	pulse generator only
0924T	Repositioning of previously implanted
	cardiac contractility modulation-defibrillation
	transvenous electrode(s)/lead(s), including fluoroscopic guidance and programming of
	sensing and therapeutic parameters
0925T	Relocation of skin pocket for implanted
09231	cardiac contractility modulation-defibrillation
	pulse generator
0926T	Programming device evaluation (in person)
	with iterative adjustment of the implantable
	device to test the function of the device and
	select optimal permanent programmed
	values with analysis, including review and
	report, implantable cardiac contractility
000 <b>7</b> T	modulation-defibrillation system Interrogation device evaluation (in person)
0927T	with analysis, review, and report, including
	connection, recording, and disconnection,
	per patient encounter, implantable cardiac
	contractility modulation-defibrillation system
0928T	Interrogation device evaluation (remote), up
	to 90 days, cardiac contractility modulation-
	defibrillation system with interim analysis
	and report(s) by a physician or other
	qualified health care professional
0929T	Interrogation device evaluation (remote), up
	to 90 days, cardiac contractility modulation-
	defibrillation system, remote data acquisition(s), receipt of transmissions,
	technician review, technical support, and
	distribution of results
0930T	Electrophysiologic evaluation of cardiac
30001	contractility modulation-defibrillator leads,
	including defibrillation-threshold evaluation

0931T	(induction of arrhythmia, evaluation of sensing and therapy for arrhythmia termination), at time of initial implantation or replacement with testing of cardiac contractility modulation-defibrillator pulse generator Electrophysiologic evaluation of cardiac contractility modulation-defibrillator leads, including defibrillation-threshold evaluation (induction of arrhythmia, evaluation of sensing and therapy for arrhythmia termination), separate from initial implantation or replacement with testing of cardiac contractility modulation-defibrillator pulse generator	
0933T	Transcatheter implantation of wireless left atrial pressure sensor for long-term left atrial pressure monitoring, including sensor calibration and deployment, right heart catheterization, transseptal puncture, imaging guidance, and radiological supervision and interpretation	As of most recent review, this has not received FDA-approval.
0934T	Remote monitoring of a wireless left atrial pressure sensor for up to 30 days, including data from daily uploads of left atrial pressure recordings, interpretation(s) and trend analysis, with adjustments to the diuretics plan, treatment paradigm thresholds, medications or lifestyle modifications, when performed, and report(s) by a physician or other qualified health care professional	
0936T	Photobiomodulation therapy of retina, single session	As of most recent review, this has not received FDA-approval.
0937T	External electrocardiographic recording for greater than 15 days up to 30 days by continuous rhythm recording and storage; including recording, scanning analysis with report, review and interpretation by a physician or other qualified health care professional	As of most recent review, this has not received FDA-approval.
0938T	External electrocardiographic recording for greater than 15 days up to 30 days by continuous rhythm recording and storage; recording (including connection and initial recording)	
0939T	External electrocardiographic recording for greater than 15 days up to 30 days by continuous rhythm recording and storage; scanning analysis with report	
0940T	External electrocardiographic recording for greater than 15 days up to 30 days by	

HCPCS	C9783	continuous rhythm recording and storage; Review and interpretation by a physician or other qualified health care professional Blinded procedure for transcatheter implantation of coronary sinus reduction device or placebo control, including vascular access and closure, right heart catheterization, venous and coronary sinus angiography, imaging guidance and supervision and interpretation when performed in an approved investigational device exemption (ide) study Histotripsy (ie, non-thermal ablation via acoustic energy delivery) of malignant renal tissue, including image guidance (Deleted 07/01/2024)	Comparable code to 0645T
	E0715	Intravaginal device intended to strengthen pelvic floor muscles during kegel exercises  The Flyte wand is not intended to withstand repeated use by successive patients and does not meet the 3-year useful lifetime requirement of the DME benefit category.	Not medically reasonable or necessary per Medicare program guidance at section 280.1 of chapter 1, part 4 of the Medicare National Coverage Determinations Manual (Pub. 100-3) indicates that massage devices are personal comfort items excluded from Medicare coverage by section 1862(a)(6) of the Social Security Act.
	E0716	Supplies and accessories for intravaginal device intended to strengthen pelvic floor muscles during kegel exercises	

### Proprietary Laboratory Analysis (PLA) and Multianalyte Assay Codes

The following laboratory tests are considered "not medically reasonable or necessary" under Title XVIII of the Social Security Act, Section 1862(a)(1)(A). Jurisdiction of claims for laboratory services furnished by an independent laboratory normally lies with the carrier serving the area in which the laboratory test is performed.<sup>[5]</sup> Specific Medicare guidance for each test is noted below:

**IMPORTANT NOTE:** This list is updated routinely with codes as they are released. **It is not intended to be an all-inclusive list.** The absence of a test code from this medical policy does not imply coverage, as some tests may be addressed in other Medicare Advantage medical policies.

Codes	Number	Description and Non-coverage Rationale	<b>Test Information</b>

СРТ	0015M	Adrenal cortical tumor, biochemical assay of 25 steroid markers, utilizing 24-hour urine specimen and clinical parameters, prognostic algorithm reported as a clinical risk and integrated clinical steroid risk for adrenal cortical carcinoma, adenoma, or other adrenal malignancy	Adrenal Mass Panel, 24 Hour, Urine Mayo Clinic (MN)
		✓ Not medically reasonable or necessary under Medicare and §1862(a)(1)(A). This test provides a risk score, it does not "treat or diagnosis" an illness or injury.	
	0052U	Lipoprotein, blood, high resolution fractionation and quantitation of lipoproteins, including all five major lipoprotein classes and subclasses of HDL, LDL, and VLDL by vertical auto profile ultracentrifugation	VAP Cholesterol Test VAP Diagnostics Laboratory, Inc. (AL)
		✓ MolDX: Biomarkers in Cardiovascular Risk Assessment ( <u>L36129</u> ) (Medicare has coverage for defined cholesterol tests. Non- coverage of lipoprotein subclasses from this LCD is applied to this test.)	
	0058U	Oncology (Merkel cell carcinoma), detection of antibodies to the Merkel cell polyoma virus oncoprotein (small T antigen), serum, quantitative	Merkel SmT Oncoprotein Antibody Titer test
		<ul> <li>The MolDX Program requires labs to submit a technology assessment (TA) to provide evidence of analytical and clinical validity (AV/CV), and clinical utility (CU). (Noridian article A54554)</li> <li>The Noridian LCD L36256 states reimbursement is only allowed for "approved tests for dates of service consistent with the effective date of the coverage determination" after MolDX review.</li> <li>If a test does not have a coverage determination, then coverage is not allowed because evidence of clinical validity or utility has not been established via the TA review process.</li> <li>This test is not considered medically reasonable and necessary under SSA §1862(a)(1)(A) until a MolDX review is complete and coverage is indicated by MolDX or Noridian.</li> </ul>	University of Washington, Department of Laboratory Medicine (WA)
	0059U	Oncology (Merkel cell carcinoma), detection of antibodies to the Merkel cell polyoma virus capsid protein (VP1), serum, reported as positive or negative	Merkel Virus VP1 Capsid Antibody test University of Washington,
		<ul> <li>The MoIDX Program requires labs to submit a technology assessment (TA) to provide evidence of analytical and clinical validity</li> </ul>	Department of Laboratory Medicine (WA)

- (AV/CV), and clinical utility (CU). (Noridian article A54554)
- The Noridian LCD L36256 states reimbursement is only allowed for "approved tests... for dates of service consistent with the effective date of the coverage determination" after MoIDX review.
- If a test does not have a coverage determination, then coverage is not allowed because evidence of clinical validity or utility has not been established via the TA review process.
- This test is not considered medically reasonable and necessary under SSA §1862(a)(1)(A) until a MoIDX review is complete and coverage is indicated by MoIDX or Noridian.

0061U

Transcutaneous measurement of five biomarkers (tissue oxygenation [StO2], oxyhemoglobin [ctHbO2], deoxyhemoglobin [ctHbR], papillary and reticular dermal hemoglobin concentrations [ctHb1 and ctHb2]), using spatial frequency domain imaging (SFDI) and multi-spectral analysis

- The MoIDX Program requires labs to submit a technology assessment (TA) to provide evidence of analytical and clinical validity (AV/CV), and clinical utility (CU). (Noridian article A54552)
- The Noridian LCD L35160 states reimbursement is only allowed for "approved tests... for dates of service consistent with the effective date of the coverage determination" after MoIDX review.
- If a test does not have a coverage determination, then coverage is not allowed because evidence of clinical validity or utility has not been established via the TA review process.
- This test is not considered medically reasonable and necessary under SSA §1862(a)(1)(A) until a MoIDX review is complete and coverage is indicated by MoIDX or Noridian.

Transcutaneous multispectral measurement of tissue oxygenation and hemoglobin using Spatial Frequency Domain Imaging (SFDI) test

Modulated Imaging, Inc. (CA)

0062U

Autoimmune (systemic lupus erythematosus), IgG and IgM analysis of 80 biomarkers, utilizing serum, algorithm reported with a risk score

Veracis (VA)

 With limited exceptions (such as single gene tests), the MoIDX Program requires labs to submit a technology assessment (TA) to provide evidence of analytical and clinical validity (AV/CV), and clinical utility (CU). This is especially applicable to new tests (e.g., tests with multiple genes with or without algorithmic analysis with diagnostic and/or prognostic purposes that have not received FDA companion diagnostic status or been universally SLE-key Rule Out

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recognized by recognized authorities such as NCCN, ASCO or other professional societies). (*Palmetto LCD L35025*)

- The Palmetto LCD L35025 states reimbursement is only allowed for "approved tests... for dates of service consistent with the effective date of the coverage determination" after MoIDX review.
- If a test does not have a coverage determination, then coverage is not allowed because evidence of clinical validity or utility has not been established via the TA review process.
- This test is not considered medically reasonable and necessary under SSA §1862(a)(1)(A) until a MoIDX review is complete and coverage is indicated by MoIDX.

0063U

Neurology (autism), 32 amines by LC-MS/MS, using plasma, algorithm reported as metabolic signature associated with autism spectrum disorder

Molecular Pathology Procedures (<u>L35000</u>) (Specifically see the language in the LCD that reads, "Molecular pathology tests for diseases or conditions that manifest severe signs or symptoms in newborns and in early childhood or that result in early death... could be subject to automatic denials since these tests are not usually relevant to a Medicare beneficiary.")

NPDX ASD ADM Panel I

Stemina Biomarker Discovery, Inc d/b/a NeuroPointDX (WI)

0096U

Human Papillomavirus (HPV), high-risk types (ie, 16, 18, 31, 33, 35, 39, 45, 51, 52, 56, 58, 59, 66, 68), male urine

Most men who get HPV do not develop symptoms and the infection usually resolves by itself. This test is a screening test, and HPV screening testing used outside of NCD 210.2.1 is non-covered under Medicare. In addition, diagnostic tests that are **not** ordered by a physician for diagnostic or clinical decision-making are also non-covered under Medicare. Therefore, this test is non-covered under Medicare. Coverage exceptions may be made on appeal if this test is used for *diagnostic* purposes <u>if</u> a patient has signs or symptoms of disease, and the ordering physician will use these test results to make a diagnosis or make treatment decisions for a relevant illness or condition.

HPV, High Risk Male Urine

Molecular Testing Labs (WA)

0117U	Pain management, analysis of 11 endogenous analytes (methylmalonic acid, xanthurenic acid, homocysteine, pyroglutamic acid, vanilmandelate, 5- hydroxyindoleacetic acid, hydroxymethylglutarate, ethylmalonate, 3- hydroxypropyl mercapturic acid (3-HPMA), quinolinic acid, kynurenic acid), LCMS/MS, urine, algorithm reported as a pain index search with	Foundation PISM Ethos Laboratories
	algorithm reported as a pain-index score with likelihood of atypical biochemical function associated with pain  While this test may provide information during workup, the test results do not provide data used to diagnose a condition or make treatment decisions. Decisions are not made based on this testing that would not otherwise have been made without this test. Therefore, this test is considered not medically reasonable or necessary under SSA §1862(a)(1)(A).	
0119U	Cardiology, ceramides by liquid chromatography—tandem mass spectrometry, plasma, quantitative report with risk score for major cardiovascular events  Minnesota: According to the article for Molecular Pathology Procedures- Related to Molecular Policy Procedures LCD (L35000) (A56199) Screening services such as pre-symptomatic genetic tests and services used to detect an undiagnosed disease or disease predisposition are not a Medicare benefit and are not covered. Similarly, Medicare may not reimburse the costs of tests/examinations that assess the risk of a condition unless the risk assessment clearly and directly effects the management of the patient."	MI-HEART Ceramides, Plasma Mayo Clinic Laboratory (MN and FL)
0251U	Procedures <u>L34519</u> includes the same notes as those mentioned above.  Hepcidin-25, enzyme-linked immunosorbent assay (ELISA), serum or plasma	Intrinsic Hepcidin IDx™ Test
	For asymptomatic individuals, this testing would be considered non-covered, as a screening test. For symptomatic individuals, the NCD for <i>Serum Iron Studies</i> (190.18) provides coverage for iron	IntrinsicDx, Intrinsic LifeSciences™ LLC. (CA and FL)

deficiency tests, but does not include hepcidin as a covered test. Non-coverage of this test is not considered restrictive under Medicare because there are other test options available to test for iron deficiency. Therefore, this test is considered not medically reasonable or necessary under SSA §1862(a)(1)(A).

0342U

Oncology (pancreatic cancer), multiplex immunoassay of C5, C4, cystatin C, factor B, osteoprotegerin (OPG), gelsolin, IGFBP3, CA125 and multiplex electrochemiluminescent immunoassay (ECLIA) for CA19-9, serum, diagnostic algorithm reported qualitatively as positive, negative, or borderline

IMMray® PanCan-d

Immunovia, Inc. (MA)

 According to the article for Molecular Pathology Procedures- Related to Molecular Policy Procedures LCD (L35000) (A56199), screening services such as pre-symptomatic genetic tests and services used to detect an undiagnosed disease or disease predisposition are not a Medicare benefit and are not covered. Similarly, Medicare may not reimburse the costs of tests/examinations that assess the risk of a condition unless the risk assessment clearly and directly effects the management of the patient."

0344U

Hepatology (nonalcoholic fatty liver disease [NAFLD]), semiquantitative evaluation of 28 lipid markers by liquid chromatography with tandem mass spectrometry (LC-MS/MS), serum, reported as at-risk for nonalcoholic steatohepatitis (NASH) or not NASH

**OWLiver** 

Cima Sciencies (TX)

According to Billing and Coding: Molecular Pathology and Genetic Testing (A58917), screening services such as pre-symptomatic genetic tests and services used to detect an undiagnosed disease or disease predisposition are not a Medicare benefit and are not covered. Similarly, Medicare may not reimburse the costs of tests/examinations that assess the risk of a condition unless the risk assessment clearly and directly effects the management of the patient."

0361U	Neurofilament light chain, digital immunoassay, plasma, quantitative
	Not medically reasonable or necessary under Medicare and §1862(a)(1)(A). This is a marker associated with disease severity, it is not used in the diagnosis or treatment of any disorder.
0443U	Neurofilament light chain (NfL), ultra-sensitive immunoassay, serum or cerebrospinal fluid
	Not medically reasonable or necessary under Medicare and §1862(a)(1)(A). This is a marker associated with disease severity, it is not used in the diagnosis or treatment of any disorder.

#### **POLICY GUIDELINES**

To determine whether a medical technology is a proven, medically necessary service, device, or procedure, the MAO conducts literature searches and evaluates the published scientific evidence related to each technology. The published evidence is reviewed against five (5) technology assessment criteria. In order for a technology to be considered medically necessary, all five (5) criteria must be met. If any one or more of the following criteria are not met, then the technology is considered investigational:

- The technology must have final approval from the appropriate government regulatory bodies (i.e., Food and Drug Administration [FDA]). An approval granted as an interim step (i.e., Treatment IND) in the governmental body's regulatory process is not sufficient.
- 2. The scientific evidence must permit conclusions concerning the effect of the technology on health outcomes, and consist of well-designed and well-conducted investigations published in peer-reviewed journals. The quality of the studies and the consistency of the results are considered when evaluating the evidence.
- 3. The technology must improve the net health outcome (the technology's beneficial effects on health outcomes should outweigh any harmful effects on health outcomes).
- 4. The technology must be as beneficial as any established alternatives. This means the technology should improve the net health outcome as much as or more than established alternatives.
- 5. The improvement must be attainable outside the investigational settings. When used under the usual conditions of medical practice, the technology should be reasonably expected to satisfy technology evaluation criteria #3 and #4.

In addition to the above criteria, the following additional criteria apply to new diagnostic technologies (e.g., imaging studies, laboratory procedures, home monitoring devices):

- 1. Technical feasibility is demonstrated, including reproducibility and precision. For comparison among studies, a common standardized protocol for the new diagnostic technology is established.
- 2. For accurate interpretation of study results, sensitivities, specificities, and positive and negative predictive values compared to standards are established.
- 3. The clinical utility of a diagnostic technique, i.e., how the results of the study can be used to benefit patient management, is established. The clinical utility of both positive and negative tests must be established.

#### **CROSS REFERENCES**

Medicare Advantage Medical Policy Development and Review, Introduction, Policy No. M-01

Clinical Trials and Investigational Device Exemption (IDE) Studies, Medicine, Policy No. M-150

Coverage with Evidence Development (CED) Studies and Registries, Medicine, Policy No. M-156

Various Medicare Advantage medical policies for specific procedures, services, or devices

#### REFERENCES

- Medicare Claims Processing Manual, Chapter 23 Fee Schedule Administration and Coding Requirements, <u>§30 - Services Paid Under the Medicare Physician's Fee Schedule</u>, <u>A. Physician's Services</u>
- Medicare Managed Care Manual, Chapter 4 Benefits and Beneficiary Protections, §90.5 <u>Creating New Guidance</u>
- Medicare Benefit Policy Manual, Chapter 14 Medical Devices, §10 Coverage of Medical Devices
- Medicare Managed Care Manual, Chapter 4 Benefits and Beneficiary Protections, §10.7.3
   — Payment for Clinical Studies Approved Under Coverage with Evidence Development
   (CED)
- 5. Medicare Claims Processing Manual, Chapter 1 General Billing Requirements, §10.1.5.4 Independent Laboratories

\*IMPORTANT NOTE: Medicare Advantage medical policies use the most current Medicare references available at the time the policy was developed. Links to Medicare references will take viewers to external websites outside of the health plan's web control as these sites are not maintained by the health plan.