



A CMS Contracted Agent

National Government Services, Inc.
www.NGSMedicare.com

Medicare

Comments and Responses Regarding Draft Local Coverage Determination: Brachytherapy

As an important part of Medicare Local Coverage Determination (LCD) development, National Government Services solicits comments from the provider community and from members of the public who may be affected by or interested in our LCDs. The purpose of the advice and comment process is to gain the expertise and experience of those commenting.

We would like to thank those who suggested changes to the draft Brachytherapy LCD. The official notice period for the final LCD begins on November 17, 2008, and the final determination will become effective on January 1, 2009.

Comment:

A commenter stated that NGS had positively covered breast brachytherapy for many years. With the new changes in coverage areas, NGS updated the Brachytherapy LCD. Several providers in New York and Connecticut are concerned about the coverage for DCIS. The draft LCD does not contain the ICD-9-CM code for ductal carcinoma in-situ (DCIS), ICD-9-CM code 233.0.

According to the American Cancer Society, 67,770 women will be diagnosed with cancer in-situ this year; 85% of these cases are DCIS. Several clinical studies have been published illustrating recurrence rates in conjunction with PBI on invasive cancer. The American Society of Breast Surgeons (ASBS) includes DCIS patients in their patient selection criteria for breast brachytherapy.

Pertinent clinical data was submitted for review.

The commenter is requesting that NGS include DCIS ICD-9-CM code 233.0 for breast brachytherapy.

Response:

After review of the submitted literature, the contractor agrees and ICD-9-CM code 233.0 has been added to the LCD.