

## NCCAOM ASA Town Hall

### Medicare Update

February 9, 2021

Questions were submitted at the Town Hall and post Town Hall to [townhall@thenccaom.org](mailto:townhall@thenccaom.org).

They were answered on February 17, 2022 by:

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[Town Hall recording](#)

[Power Point Slides](#)

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## Medicare Advocacy Q&A

**Question:** Will we be able to bill for evaluations or other therapies in our scope of practice?

**Answer:** Currently, qualified acupuncturists will be able to bill for treatments provided for chronic lower back pain. Medicare at this time does not cover any of evaluations or therapies that are in the acupuncturist scope of practice.

**Question:** Does the bill state the reimbursement fee for service?

**Answer:** The bill does not state reimbursement rates for services--rates will change faster than laws can be amended.

**Question:** If we are treating patients as an out of network provider by their PART D, why would we want to become a Medicare provider and accept a fraction of our income regulated by the federal government?

**Answer:** Medicare recognition allows access to 60-million Americans, many of whom are seeking to manage chronic pain. Because Medicare has already begun to cover acupuncture services, the lack of presence among acupuncturists treating these patients will enable other practitioners to expand their scope and provide acupuncture.

**Question:** How much will Medicare pay?

**Answer:** Medicare rates are determined in accordance with the Physician-fee schedule and by the AMA CPT Advisory Committee. Medicare issues regular fee schedules that determine reimbursement rates for providers. Advocacy for those rates takes place separately from legislative advocacy.

**Question:** What kind of additional paperwork are we going to have with Medicare?

**Answer:** Medicare participation requires standard paperwork, once applicable, the ASA and the NCCAOM will provide guidance on Medicare enrollment.

**Question:** Under qualified acupuncturists, it said licensed acupuncturist. In WI, we are certified acupuncturists. Would this legally be the same, or would HHS step in?

**Answer:** HHS will defer to national certification standards, so you will be eligible to provide Medicare services. Most states require certification for licensure, and the HHS look to national standards to ensure competency.

**Question:** It appears that several Medicare Advantage Plans already include acupuncturists for chronic low back pain. Have you found this?

**Answer:** Yes--Medicare can only cover acupuncturists if Congress authorizes it. Private plans do not need this authorization, so these plans can provide coverage at any time--and many, as you know, do this now.

**Question:** Does the NCCAOM-ASA have an interest in treatment of herbal medicine? Many patients have success with acupuncture and herbs.

**Answer:** Right now, Medicare is only covering acupuncture treatment for chronic lower back pain. Our sole mission with our legislative advocacy efforts is to ensure that acupuncturists can provide this service.

**Question:** Do Medicare Advantage plans have to follow the same rules re: acupuncture?

**Answer:** Medicare Advantage plans follow a different protocol for covering services and providers. Unlike Medicare, they do not need to wait on Congressional authorization to cover providers.

**Question:** Can anyone describe to us the actual process if we as individual practitioners do not want to participate in Medicare once this passes? Will we still be able to treat Seniors for cash rates?

**Answer:** Medicare allows for recognized provider groups to opt out of the Medicare program. At the appropriate time, the ASA and the NCCAOM will work together to provide education and resources to the profession about Medicare enrollment and opt-out options.

**Question:** Will coverage still be limited to low back pain?

**Answer:** Yes--at this time, Medicare only covers acupuncture for chronic lower back pain.

**Question:** Who will be in opposition to it?

**Answer:** Currently, there is no formal or explicit opposition to this bill from policymakers. With any bill that adds a provider to Medicare, policymakers are concerned about additional costs. That can be a reason for why a policymaker may not support a bill like H.R. 4803.

**Question:** Is it true that all health care providers are required to pay \$700 to become a Medicare provider? Is it a one-time cost or annual cost?

**Answer:** Medicare enrollment for providers does not require a set fee of \$700.

**Question:** According to chiropractors I work with, Medicare is difficult to bill, they need to have electronic billing capability and the payment is very low in comparison to cash pay. Will Medicare providers saddle us with a lot more paperwork without necessarily more income?

**Answer:** Medicare rules for chiropractors will be different from what Medicare will require of acupuncturists. Medicare recognition allows access to 60-million Americans, many of whom are seeking to manage chronic pain. Because Medicare has already begun to cover acupuncture services, the lack of presence among acupuncturists treating these patients will enable other practitioners to expand their scope and provide acupuncture.

**Question:** I'm curious since this is a "narrow" bill, does ASA and NCCAOM have some future plans for further, perhaps "wider" bills or is this getting too far ahead?

**Answer:** Strategically, our focus now is Medicare recognition since it will increase access patients' access to acupuncturists and acupuncturists' access to patients.

**Question:** What has been the response from the representatives on the hill - their opinion on AOM?

**Answer:** Many policymakers are not familiar with AOM, which is why a big part of our advocacy effort is to educate policymakers about acupuncture and its applications and benefits.

**Question:** The Supreme Court has mandated vaccinations for health care workers using the CMS/NPI system. Will acupuncturists in private practice will be mandated to be vaccinated to treat/bill Medicare/Medicaid patients once H.R. 4803 passes?

**Answer:** H.R. 4803 would not dictate vaccine mandates for acupuncturists. Current vaccine mandates apply to those who work in healthcare facilities that contract with the Centers for Medicare and Medicaid Services.

**Question:** What degree or certification will be promoted for this bill? A DC with 100 hours has gotten denial through the VA, so just wondering what you are looking to get accepted for Medicare.

**Answer:** The bill will require acupuncturists to be licensed in their respective states. In states that do not have licensure, the Secretary of Health & Human Services would establish the criteria and look to national certification.

**Question:** Why the focus on only republicans at this time? Isn't Rep. Chu a Democrat?

**Answer:** Yes; Rep. Chu is a Democrat. For a bill to be successful, it needs to be balanced and have Republican support as well.



## Grassroots Advocacy Q&A

**Question:** Do you have to be invited to participate on roles that are available?

**Answer:** No, you do not need to be invited to participate in any of the following:

- [Register with Phone2Action](#) to send letters to your representatives and sign up to receive updates.
- Submit Patient Testimonials using the Patient Testimonial Kit available on the homepage of [asacu.org](http://asacu.org).
- Watch the [Grassroots Advocacy Training replay](#).
- Send an email to [advocacy@asacu.org](mailto:advocacy@asacu.org) to inquire about the ways to get involved.
- Discuss H.R. 4803 with your patients and colleagues, you can use the [Medicare Fact Sheet](#) and the [Medicare Roadmap](#) for reference.

**Question:** Do you have a list of reps already engaged so we can know whether to ask them or thank them?

**Answer:** Yes--you will be able to see a current list of sponsors at [www.congress.gov](http://www.congress.gov) or [https://bit.ly/HR-4803\\_Tracker](https://bit.ly/HR-4803_Tracker).

## Patient Testimonials Q&A

**Question:** Do you find that patients are open and willing to write testimonials?

**Answer:** Yes, I have found that many patients are eager to share their story, especially if they think that it could help to expand the access for others.

**Question:** When we get the patient testimonial form kit, can we share with other acupuncturists who are not in tonight?

**Answer:** The Patient Testimonial Kit can be shared with any L.Ac. that would like to participate.

**Question:** Can the testimonials be on any condition that has been helped by acupuncture or only low back pain?

**Answer:** The testimonial can be for treatments related to any chief complaint. We are looking forward to receiving many patient testimonials for the treatment of pain and other chief complaints.



**Question:** I had been in practice for over 20 years, and I had over 200 testimonies in either our website or in a bind book in our clinic can they be used . they had already give their consent, but not formally.

**Answer:** No, we must have a current, signed, Consent and Release form in order to use any patient testimonial.

**Question:** What is the preferred method of patient testimonial (i.e. written, oral/video, in person)?

**Answer:** We are only collecting written testimonials at this time. We are offering the testimonial template form as a print, or electronic, option to make it easier for patients to complete.

**Question:** Must the patient testimonials be related to chronic back pain? Can the diagnosis be pain in other parts of the body? Thanks.

**Answer:** Must the patient testimonials be related to chronic back pain? Can the diagnosis be pain in other parts of the body? Thanks.

**Question:** Can we as acupuncturists now talk about things we can actually treat other than pain-related illnesses? For example, can we advertise ourselves on our website about treating tinnitus, psoriasis, constipation, migraines?

**Answer:** Great question. This can vary by state, you will need to check your state's scope of practice to see if you are able to diagnose. It is a general best practice to not make claims regarding biomedical diagnosis, unless it is clearly stated within your state's scope of practice.