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AMERICAN COLLEGE OF ALLERGY, ASTHMA & IMMUNOLOGY

## ADVOCACY COUNCIL ALERT

After years of advocacy on this issue, the Advocacy Council is pleased to announce that Palmetto GBA, LLC - a **Medicare Administrative Contractor (MAC) for practices in Alabama, Georgia, North Carolina, South Carolina, Tennessee, Virginia (excluding Arlington County, Fairfax County, and Alexandria), and West Virginia** - has acknowledged that for purposes of **CPT 95165, diluted doses are treated the same as maintenance doses** – and as such, are paid for if reasonable and necessary. In other words, ***Palmetto may cover and pay for allergy immunotherapy build-up doses.***

As we all know, allergen immunotherapy, administered through subcutaneous injections, is a proven clinically effective treatment for individuals with allergic rhinitis and allergic asthma. We explained that when a patient begins immunotherapy, he or she typically begins with very diluted doses, and their concentration gradually increases over time. CPT code 95165 describes “professional services for the supervision of preparation and provision of antigens for allergen immunotherapy; single or multiple antigens (specify number of doses).” The Advocacy Council is in receipt of an email from **Palmetto recognizing that, for purposes of CPT code 95165, “there is no differentiation between initiation therapy and maintenance therapy” and that the vials “from which the dose may be drawn is irrelevant.”**

However, it is important to **note that Medicare has assigned medically unlikely edits (MUEs) of 30 units per day for CPT code 95165.** The MUEs are the maximum unit(s) of service that could be reported for a single beneficiary on the same date of service for the vast majority of appropriately reported claims. Claims in excess of the MUE number of units are considered “medically unlikely.” Also, Medicare continues to define a dose as 1ml, unlike

**Palmetto's policy applies only to practices in states for which Palmetto is the MAC. In other words, allergy practices that submit claims to other MACs may not rely on this policy to bill for dilutions.**

The Advocacy Council is working to get similar acknowledgments from the other MACs and will keep you informed of our progress.

We acknowledge the important work done in this effort in partnership with the Advocacy Council by Ned DeLosier of The Allergy, Asthma and Sinus Center and John Herzog of Kimball Associates. We also thank Senator Marsha Blackburn and Senator Bill Cassidy, MD, for their assistance with CMS in this effort.

**IMPORTANT:** *The information contained herein is provided for educational purposes only and should not be construed or relied upon as legal advice. If legal advice is required, you should seek the advice of your legal counsel.*

The Advocacy Council – ADVOCATING FOR ALLERGISTS AND THEIR PATIENTS.

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