OBER KALLER

Payment Matters®

Subscribe
Reprints
Health Law Group
www.ober.com
Payment Matters

JUNE 12, 2009

Your Chance to Tell the Government What Documents You Want to See

In this Issue

Five Things You Should Know About the Fraud Enforcement and Recovery Act of 2009

Global Warning – Medicare Date of Service Rule May Require Separate Line-Item Claims for Pathology Services

Your Chance to Tell the Government What Documents You Want to See

Tips from the RAC Cave: "Outpatient Observation vs. Inpatient Admission"

Payment Group

Principals Thomas W. Coons Leslie Demaree Goldsmith Carel T. Hedlund S. Craig Holden Julie E. Kass Paul W. Kim Robert E. Mazer Carel T. Hedlund 410-347-7366 cthedlund@ober.com

Health care providers, among others, have an opportunity to provide recommendations to the government regarding the kinds of government information they believe should be more readily available. The comments must be received by June 19, 2009.

The Office of Science and Technology Policy (OSTP), a component of the Executive Office of the President, published a notice in the May 21, 2009 Federal Register seeking public participation in the development of recommendations for federal agencies to further the Administration's goals of transparency, participation and collaboration. One of the issues OSTP is specifically seeking comments on is "what government information should be more readily available on-line or more easily searched?"

Healthcare providers might consider urging the government to provide on-line access, through the Centers for Medicare and Medicaid Services (CMS) website, to CMS letters to members of Congress and congressional staff, and to professional associations, insofar as the correspondence addresses issues of CMS policy and interpretation. In addition, CMS sometimes uses a Joint Signature Memorandum (JSM), signed by multiple components of CMS, to instruct intermediaries and Medicare contractors on various changes in policy or to issue implementing instructions. The JSMs are not always made available to the public. It would be valuable to the provider community to have this information readily available on the CMS website.

Ober|Kaler's Comments:Comments must be received by June 19, 2009. They may be sent by mail to Office of Science and Technology Policy, Attn: Open Government Recommendations, 725 17th St. N.W., Washington D.C. 20502; through whitehouse.gov/open ; or by email to opengov@ostp.gov .

Copyright© 2009, Ober, Kaler, Grimes & Shriver

Christine M. Morse

Laurence B. Russell

Donna J. Senft

Susan A. Turner

Associates

Kristin Cilento Carter

Joshua J. Freemire

Mark A. Stanley

Lisa D. Stevenson

Emily H. Wein

http://www.jdsupra.com/post/documentViewer.aspx?fid=0d74ccf8-2d57-487d-88c2-9