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## Makin' a Rule, Changin' it Twice: CY 2009 Physician Fee Schedule Further Modifies CY 2008 Changes to Diagnostic Test Billing Rules

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***Makin' a Rule, Changin' it  
Twice: CY 2009 Physician  
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CMS revised Medicare billing rules for diagnostic tests as part of its CY 2009 Physician Fee Schedule. These changes modified earlier changes made in the CY 2008 Physician Fee Schedule. For ease of comparison, [this chart](#) provides the language of the longstanding rule, alongside the rule's language as amended by the CY 2008 and CY 2009 rulemakings. See our [November 12, 2008](#) issue of *Payment Matters* for a more detailed look at the changes to the anti-markup rule.

**Ober|Kaler's Comments:** Physicians furnishing these diagnostic services should be certain to confirm that any arrangements relating to such services are consistent with the new regulations that are in effect as of January 1, 2009.

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