

CMS Issues Proposed 2024 Medicare Physician Fee Schedule

Healthcare Law Update

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On July 13, 2023, the Centers for Medicare & Medicaid Services (CMS) [released](#) its proposed 2024 Medicare physician fee schedule (MFPS). Highlights of the proposed MFPS include:

- a reduction of the conversion factor by 3.34% for 2023, from \$33.89 down to \$32.75 due to the expiration of the 2.5% statutory payment increase for 2023, a 1.25% statutory payment increase for 2024, and a 2.17% budget-neutrality reduction.
- a proposal to maintain the definition of “substantive portion” of an E/M service performed by both a physician and non-physician practitioner. Clinicians who furnish a split visit will continue to have a choice of history, physical exam, medical decision making, or more than half of the total time spent to define the substantive portion to determine which practitioner will bill the visit.
- a new process for adding, removing, and changing codes for telehealth services, in addition to creating differential payments based on the place of service.
- increased access to behavioral health services by creating new benefit categories under Medicare Part B.

The proposed MFPS introduces multifaceted measures to address health equity, new payment policies for various services, and expanded behavioral health access. The proposed changes reflect CMS’s dedication to improving care quality and accessibility while incorporating valuable input from diverse communities and healthcare practitioners.

Stakeholders may submit comments to the proposed MFPS by September 11, 2023.

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