



COLLEGE of AMERICAN PATHOLOGISTS

November 22, 2019

Michella Cota, Corporate Counsel
Denise J. O'Conner, Assistant General Counsel
Horizon Blue Cross Blue Shield of New Jersey
3 Penn Plaza East
Newark, New Jersey 07105-2200

Dear Ms. Cota and O'Conner,

The College of American Pathologists (CAP) opposes the recently revised Horizon Blue Cross Blue Shield of New Jersey (BCBSNJ) reimbursement policy that imposes limits on Daily Maximum Units for Surgical Pathology and Microscopic Examination services. The CAP urges Horizon BCBSNJ to reverse its restrictive policy and requests a meeting to further discuss this issue. As the world's largest organization of board-certified pathologists and leading provider of laboratory accreditation and proficiency testing programs, the CAP serves patients, pathologists, and the public by fostering and advocating excellence in the practice of pathology and laboratory medicine worldwide.

Specifically, this policy denies reimbursement for the same patient on the same date of service for 88305 for any services 1) greater than 12 units for identified prostate diagnosis, 2) greater than eight units for identified gastrointestinal diagnosis and 3) deny 88305 for any services greater than four units for any other diagnosis not listed in the policy.

The Horizon BCBSNJ policy is inconsistent with standard medical practice, including the published Medicare Medically Unbelievable/Unlikely Edits (MUE) policy for 88305 of 16 units of service per patient per day.¹ There are numerous common circumstances outside of prostate and gastrointestinal conditions that typically require more than four units of service on a given day. Further, the Horizon BCBSNJ policy does not appear to recognize the fact that pathologists and clinical laboratories do not control the number of specimens sent to them. Rationing care in the setting of diagnostic tissue biopsies results in significant administrative and quality patient care issues. Horizon's blanket policy improperly imposes limits on clinical physicians' decision-making, impinging on the practice of medicine by inappropriately encumbering access to medically necessary pathology services. Any across-the-board limits should be set at a level likely to impinge only on rare and atypical practices, rather than limit necessary services typical in some of the many clinical settings in which tissue biopsy is called for. Finally, to ensure proper access to quality care for Horizon BCBSNJ patients, any denials of payment would need to be appealable based on medical necessity.

Again, the CAP urges Horizon BCBSNJ to reverse its restrictive policy and requests available dates and times for us to discuss this matter further. For additional information, please contact Elizabeth Fassbender, JD, Assistant Director, Economic and Regulatory Affairs at efassbe@cap.org or 202-354-7125.

Sincerely,

Jonathan L. Myles, MD, FCAP
Chair, Council on Government and Professional Affairs

¹ <https://www.cms.gov/Medicare/Coding/NationalCorrectCodInitEd/MUE.html>