



September 11, 2023

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare & Medicaid Services
Department of Health and Human Services
200 Independence Avenue
S.W. Washington, DC 20201

Re: Comments on CMS-1786-P 2024 Medicare Hospital Outpatient Prospective Payment System and Ambulatory Surgical Center Payment System Proposed Rule (“HOPPS/ASC Proposed Rule” or “Proposed Rule”)

Dear Administrator Brooks-LaSure:

On behalf of the American Society of Transplant Surgeons (ASTS) and the American Society of Transplantation (AST) we are pleased to have the opportunity to comment on the 2024 HOPPS Proposed Rule (the “Proposed Rule”). ASTS is a medical specialty society representing approximately 2,000 professionals dedicated to excellence in transplantation surgery. Our mission is to advance the art and science of transplant surgery through patient care, research, education, and advocacy. The American Society of Transplantation (AST) is a medical specialty society representing over 4,800 members engaged in advancing the field of organ transplantation.

We very much appreciate CMS’ expansion of Medicare coverage for dental procedures that are inextricably linked to, and substantially related and integral to the clinical success of transplantation. We believe that this expansion of dental coverage has the potential to significantly increase access to transplantation for Medicare patients, especially those in medically underserved populations, who historically have had limited access to dental care. In this regard, we commend CMS for its proposal to assign Ambulatory Payment Classifications to a wide array of dental services and CMS’ proposal to include dental services on the Ambulatory Surgical Center (ASC) Covered Procedures List (CPL). In light of the limited availability of hospital outpatient operating rooms (ORs) available for dental cases, it is very important that ASC settings become available for the performance of dental procedures for patients whose dental treatment requires the administration of general anesthesia in OR settings.

However, we are concerned that the Proposed Rule does not specify the criteria used by CMS to determine which dental procedures to assign to APCs or which dental procedures to include on the ASC CPL. In addition, we note that the payment rate for dental rehabilitation (G0330), which may be applicable to dental cases require extensive work and multiple procedures, would be reduced by over 45% if the Proposed Rule is adopted without change, and that the Proposed Rule establish an ASC facility rate of less than \$500 for these procedure, an amount that may be insufficient in light of the specialized dental equipment and personnel required for

these services. We urge CMS to work with the dental community to review the lists of dental procedures for which HOPPS and ASC payment are available and to establish payment rates that are sufficient to assure OR availability for those transplant candidates whose dental procedures must be provided under general anesthesia.

We appreciate the opportunity to comment on the HOPPS/ASC Proposed Rule. If you have any questions regarding these comments or need any further information, please contact Emily Besser, MA, CAE, at emily.besser@asts.org or Shandie Covington (scovington@myast.org).

Respectfully,

Elizabeth Pomfret, MD
President, American Society of Transplant Surgeons

Josh Levitsky, MD, MS, FAST
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