

OPPOSE CMS PROPOSAL TO REQUIRE PHYSICIAN SIGNATURES ON LABORATORY ORDERS

In the Medicare Physician Fee Schedule 2011 Proposed Rule, CMS proposes to require a physician signature on all laboratory orders, including test requisition forms, paid on the basis of the Clinical Laboratory Fee Schedule (CLFS). This new proposal reverses CMS's established position on lab orders – the result of a lengthy negotiated rulemaking process in 2001 with broad stakeholder involvement – which established that there were alternatives besides a physician signature requirement. The proliferation of electronic medical records in the coming years will transform the process and documentation of orders and requisitions, offering CMS access to standardized documentation of the physician's orders. During this transition, CMS must avoid layering on additional, unnecessary burdens on health care providers

IMPACT OF THE PROPOSED PHYSICIAN SIGNATURE REQUIREMENT

Patients

This policy would harm beneficiaries by delaying care in cases where the patient reports to a patient service center with an unsigned order and is asked to return to the physician to obtain the required signatures.

Due to the fragility of specimens, it is imperative that the test be completed shortly after receipt, lest the specimen begin to degrade. Administrative requirements should never interfere with the delivery of quality patient services.

The extensive patient and physician identifying information on the requisition and contained in medical records provides sufficient documentation to ensure that tests are performed at the direction of the physician.

Physicians

Physicians do not personally sign requisitions due to extensive demands on their time. Instead, they are frequently handed off to their nonphysician staff, who are expected to complete the requisition. Physicians do not, should not, or cannot be expected to sign such orders.

Requiring the physician to sign orders for Medicare patients would be an added and unnecessary administrative burden.

Should the proposal be implemented, CMS would be one of few payers to require a physician signature on requisitions, which would require physicians to sift through requisitions to distinguish among payers' documentation requirements.

Clinical Laboratories

Laboratories would have no way to enforce the requirement on physicians.

When a laboratory receives an order or requisition, the laboratory performs the test, regardless of whether a physician signature is present, because it is in the best interest of the Medicare patient.

The proposed requirement would create undue burdens on laboratories by requiring them to expend additional time and resources to track down physicians in an attempt to obtain physician signatures.

The ACLA strongly urges CMS to protect beneficiaries' access to timely care and guard against unnecessary administrative burdens by withdrawing the physician signature requirement from the 2011 Physician Fee Schedule proposed rule.