

CMS ISSUES FINAL RULE PROHIBITING PHYSICIAN SELF-REFERRAL

CMS today issued final regulations prohibiting physicians from referring Medicare patients for certain items, services and tests provided by businesses in which they or their immediate family members have a financial interest. This regulation is the third phase of the final regulations implementing the physician self-referral prohibition commonly referred to as the Stark law.

"These rules protect beneficiaries from receiving services they may not need and the Medicare program from paying potentially unnecessary costs," said Herb Kuhn, CMS acting deputy administrator.

This third phase of rulemaking (Phase III) responds to public comments on the Phase II interim final rule published March 26, 2004 in the Federal Register. The rule does not establish any new exceptions to the self-referral prohibition, but rather makes certain refinements that could permit or, in some cases, require restructuring of some existing arrangements, CMS officials explained.

The final rule, which was put on display Monday, will be published in the September 5, 2007 Federal Register. To view the rule, go to: http://www.cms.hhs.gov/PhysicianSelfReferral/04a_regphase3.asp. For more information, visit the following link on the CMS website: <http://www.cms.hhs.gov/PhysicianSelfReferral/> .

To view the entire press release, please click here:
http://www.cms.hhs.gov/apps/media/press_releases.asp
<http://www.cms.hhs.gov/apps/media/press_releases.asp>

Valerie A. Haugen, Director
Division of Provider Information Planning & Development Provider
Communications Group, CMS
(410) 786-6690
Valerie.Haugen@cms.hhs.gov