CMS Response to Public Comments
(OMB# 0938- 0685)

Comment:
The following commenters recommended that the requirement that a provider or supplier submit a copy of its National Provider Identifier (NPI) notification with its CMS-855 Medicare enrollment application be removed from Section 17 of said application:

- National Council for Prescription Drug Program
- National Association of Chain Drug Stores
- Wake Forest University Health Sciences

Response:
CMS concurs with this suggestion and will remove the requirement in question from Section 17 of the CMS-855B.

All comments below were submitted by the Laboratory Corporation of America (Labcorp) in Burlington, North Carolina.

Comment:
Labcorp suggested that the phrase "every Medicare IDTF must meet" in the first sentence of the introductory note on page 38 of the CMS-855B be revised to say, "all IDTFs enrolled in the Medicare program."

Response:
CMS concurs. Labcorp's recommended terminology will be accordingly incorporated.

Comment**:**
Labcorp recommended that CMS revise 42 CFR § 410.33(g)(2), which currently requires independent diagnostic testing facilities (IDTFs) to report to Medicare any changes to their enrollment information within 30 days of the change, to require IDTFs to report such changes within 90 days.

Response:
Though CMS so declines to make the requested change, we will revise the form instructions to clarify the differences in reporting requirements (IDTFs – 30 days; other suppliers – 90 days).

Comment:
Labcorp requested further clarification on the meaning of certain items in "IDTF Standard 3," located on page 38 of the CMS-855B. These issues include: (1)

whether this standard prohibits the off-site storage of records; and (2) the appropriate definition of the phrase "current medical records."

Response:
Because the language in "Standard 3" is taken directly from 42 CFR § 410.33(g)(3), we cannot offer the clarification sought by Labcorp without a regulatory change. Nevertheless, we understand and appreciate Labcorp's concerns, and will consider them if/when modifications to § 410.33(g)(3) are warranted.

Comment:
Labcorp requested further clarification on the meaning of certain items in "IDTF Standard 4," located on page 38 of the CMS-855B. These issues, with respect to the requirement to report equipment changes in 90 days, include: (1) when the 90-day period commences; and (2) whether the standard applies to fixed and/or portable equipment.

Response:
Again, because the language in "Standard 4" is taken directly from 42 CFR § 410.33(g)(4), we cannot offer the clarification sought by Labcorp without a regulatory change. Nevertheless, we understand and appreciate Labcorp's concerns, and will consider them if/when modifications to § 410.33(g)(4) are necessary.