

CMS Response to Public Comments Received for CMS-2016-0033

The Centers for Medicare and Medicaid Services (CMS) received one comment related to CMS-2016-0033: (CMS–576A) Organ Procurement Organization’s (OPOs) Health Insurance Benefits Agreement and Supporting Regulations. This is the reconciliation of the comments.

Comment:

The Centers for Medicare and Medicaid Services (CMS) received a comment from a Center that works to create healthier futures for the communities it serves. The Center asks CMS to please define ‘practitioner’ and whether this definition includes LCSWs (master’s level counselors) who are credentialed under Medicare for mental health services?

Response:

CMS appreciates the comment and under The Medicare and Medicaid Programs; Final Conditions for Coverage for Organ Procurement Organizations (CMS-3064-F), which were published in the Federal Register (Vol. 71, No. 104) on May 31, 2006. 42 CFR 486.326(a)(3) requires that “the OPO must have credentialing records for physicians and other practitioners who routinely recover organs in hospitals under contract or arrangement with the OPO and ensure that all physicians and other practitioners who recover organs in hospitals with which the OPO has agreements are qualified and trained.” Qualifications and training must be specific to organ recovery. An LCSW credential alone would not qualify as an acceptable practitioner to do organ recovery.