

MLN FACT SHEET



PROVIDER COMPLIANCE TIPS FOR BARIATRIC SURGERY

PROVIDER TYPES AFFECTED

Surgeons who perform bariatric surgery

BACKGROUND

Medicare Fee-For-Service and inpatient hospital services cover bariatric surgical procedures. Review provisions in [National Coverage Determination \(NCD\) for BARIATRIC SURGERY for Treatment of Co-Morbid Conditions Related to Morbid Obesity \(100.1\)](#).

REASONS FOR DENIAL

- Insufficient documentation
- Documentation fails to support procedures as reasonable or necessary
- Providers do not comply with signature requirements

HOW TO PREVENT DENIALS

Beneficiaries must meet the following Medicare coverage criteria:

- Body-mass index (BMI) of more than or equal to 35 kg/m²
- At least one comorbidity related to obesity
- Previously unsuccessful with medical treatment for obesity

Consider the following when billing Medicare for bariatric surgery services:

- Bariatric surgery procedures are performed to treat comorbid conditions associated with morbid obesity
- Types of surgical procedures:
 - **Malabsorptive**—Divert food from the stomach to a lower part of the digestive tract where the normal mixing of digestive fluids and absorption of nutrients cannot occur
 - **Restrictive**—Restrict the size of the stomach and decrease intake
 - Both types of procedures can be combined

- Procedures include:
 - Roux-en-Y Gastric Bypass (RYGBP)
 - Gastric restriction and malabsorption; reduction of the stomach to a small gastric pouch (30 cc); open or laparoscopic
 - Biliopancreatic Diversion with Duodenal Switch (BPD/DS) or Gastric Reduction Duodenal Switch (BPD/GRDS)
 - Gastric restriction and malabsorption; the stomach is partially resected, but the remaining capacity is generous compared to that achieved with RYGBP; open or laparoscopic
 - Adjustable Gastric Banding (AGB)
 - Gastric restriction only; a band creating a gastric pouch with a capacity of approximately 15 to 30 ccs encircles the uppermost portion of the stomach; laparoscopic only
 - Sleeve Gastrectomy
 - Sleeve resection of the stomach; open or laparoscopic
 - Vertical Gastric Banding (VGB)
 - Gastric restriction only; the upper part of the stomach is stapled (rarely performed)

Non-covered:

- Treatments for obesity alone
- Supplemented fasting as a general treatment for obesity
- Open adjustable gastric banding
- Open and laparoscopic sleeve gastrectomy (Medicare Administrative Contractors may determine coverage of stand-alone laparoscopic sleeve gastrectomy)
- Open and laparoscopic vertical banded gastroplasty
- Intestinal bypass surgery
- Gastric balloon

RESOURCES

FOR MORE INFORMATION ABOUT...	RESOURCE
The 2017 Medicare Fee-For-Service Supplemental Improper Payment Date	https://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/Medicare-FFS-Compliance-Programs/CERT/CERT-Reports-Items/2017-Medicare-FFS-Payment-Data.html?DLPage=1&DLEntries=10&DLSort=0&DLSortDir=descending
National Coverage Determination (NCD) for BARIATRIC SURGERY for Treatment of Co-Morbid Conditions Related to Morbid Obesity (100.1)	https://www.cms.gov/medicare-coverage-database/details/ncd-details.aspx?NCDId=57&ncdver=5&CoverageSelection=Both&ArticleType=All&PolicyType=Final&s=All&Keyword=Bariatric+Surgery&KeywordLookUp=Title&KeywordSearchType=And&b-c=gAAAACAAAAAAAA%3d%3d&
Complying With Medical Record Documentation Requirements	https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/CERTMedRecDoc-FactSheet-ICN909160.pdf
Complying with Medicare Signature Requirements	https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/MLN-Publications-Items/CMS1246723.html
2014 Medicare Quarterly Provider Compliance Newsletter (Volume 4, Issue 4)	https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/Downloads/MedQtrlyComp-Newsletter-ICN909012.pdf
Social Security Act Section 1861	https://www.ssa.gov/OP_Home/ssact/title18/1861.htm

[Medicare Learning Network® Product Disclaimer](#)

The Medicare Learning Network®, MLN Connects®, and MLN Matters® are registered trademarks of the U.S. Department of Health & Human Services (HHS).