

## CONSENSUS STATEMENT

### OPPOSITION TO BUNDLING COSMETIC EYELID SURGERY AS A PART OF ANOTHER FUNCTIONAL PROCEDURE

Blepharoplasty and blepharoptosis repair are distinct surgical procedures directed at correcting different pathology of the upper eyelids (Consensus Statement on Blepharoplasty and Blepharoptosis Repair). Each may be performed for medically necessary (functional) or cosmetic indications. These distinctions are dictated by coverage rules of third party payers regarding medical necessity.

In 2009, NCCI bundled payments for blepharoplasty and ptosis repair. This bundle applied to procedures that met local medical necessity criteria. Aesthetic procedures were performed per agreement between patients, surgeons, and facilities in accordance with current practice and regulations. In May, 2016, CMS issued a guidance that reinterpreted the bundles to include all ptosis procedures and all functional and cosmetic aspects of blepharoplasty.

<https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNMattersArticles/Downloads/MM9658.pdf>

We, the undersigned organizations, wish to make the following statements.

1. In spite of NCCI edits, blepharoplasty and ptosis repair are typically unrelated procedures directed at correcting distinct pathologic entities.
2. Medically necessary blepharoplasty or ptosis repair may lead to cosmetic as well as functional improvements. It would not be reasonable to charge a separate fee for such secondary cosmetic improvement.
3. However, it is unreasonable to expect a surgeon, anesthetist, or facility to provide a clearly distinct cosmetic procedure as part of a separate functional procedure without additional compensation.
4. Medical third party payers are not obligated to pay for procedures that do not meet their medical necessity criteria.
5. Medical third party payers do not have authority to regulate choices made by patients and providers regarding procedures that do not meet their criteria for medical necessity.
6. Decisions regarding non-covered benefits are to be made by agreement between patients, providers, and facilities.

Signed:

American Academy of Cosmetic Surgery

American Academy of Facial Plastic and Reconstructive Surgery

American Academy of Ophthalmology

American Society for Aesthetic Plastic Surgery

American Society for Dermatologic Surgery Association

American Society of Ophthalmic Plastic and Reconstructive Surgery

American Society of Plastic Surgeons

The American Medical Association House of Delegates has passed a Resolution in support of this Consensus Statement

November 22, 2016