

# Ambulatory Surgical Center (ASC) Payment

## ASC Covered Procedures List (CPL) Nomination Process for CY 2023

- The ASC CPL was authorized in accordance with section 1833(i)(1) of the Social Security Act, which requires the Secretary to specify surgical procedures which are appropriately performed on an inpatient basis in a hospital but which also can be performed safely on an ambulatory basis in an ASC, critical access hospital, or hospital outpatient department.
- Effective for services furnished on or after January 1, 2022, covered surgical procedures that can be added to the ASC CPL are those procedures that are specified by the Secretary that meet the following general standards:
  - 1) The procedure is separately paid under the OPPS;
  - 2) The procedure is not expected to pose a significant safety risk to a Medicare beneficiary when performed in an ASC; and
  - 3) Standard medical practice dictates that the beneficiary would not typically be expected to require active medical monitoring and care at midnight following the procedure.
- Surgical procedures do not qualify as covered surgical procedures that can be added to the ASC CPL if they meet any of the following general exclusions:
  - 1) generally result in extensive blood loss;
  - 2) require major or prolonged invasion of body cavities;
  - 3) directly involve major blood vessels;
  - 4) are generally emergent or life-threatening in nature;
  - 5) commonly require systemic thrombolytic therapy;
  - 6) are designated as requiring inpatient care;
  - 7) can only be reported using CPT unlisted surgical procedure code;
  - 8) are otherwise excluded under Medicare.
- In the CY 2022 OPPS/ASC final rule with comment period, CMS finalized the adoption of a nomination process to allow an external party to nominate a surgical procedure to be added to the ASC CPL beginning with the CY 2023 rulemaking cycle (86 FR 63782).
- Additional guidance on the nomination process, along with a complete list of procedures nominated for the ASC CPL, will be posted on this webpage in the future.
- If there are any questions, concerns, suggestions, or inquiries regarding the ASC CPL, please consider contacting CMS by email at **ASCPPS@cms.hhs.gov**.