



Commonwealth Healthcare Corporation

Commonwealth of the Northern Mariana Islands
1 Lower Navy Hill Road Navy Hill, Saipan, MP 96950



PUBLIC NOTICE OF EMERGENCY REGULATIONS

WHICH ARE ONCOLOGY FEE AMENDMENTS TO THE COMMONWEALTH HEALTHCARE CENTER'S CHARGEMASTER

EMERGENCY ADOPTION AND IMMEDIATE EFFECT: The Commonwealth Healthcare Corporation (hereinafter "CHCC") of the Northern Mariana Islands, finds that:

(1) the attached rules and regulations regarding Oncology Fee amendments to the CHCC Chargemaster shall be adopted immediately on an emergency basis because the public interest so requires, for the reasons stated below (1 CMC § 9104(b), (c); 1 CMC § 9105(b)(2)); and

(2) the same rules and regulations shall be adopted, after a proper notice and comment period, as permanent regulations pursuant to the attached Notice of Proposed Rules and Regulations and the Administrative Procedure Act, 1 CMC § 9104(a) and will be published at NMIAC 140-10.8-101.

AUTHORITY: The Board of Trustees may prepare and adopt rules and regulations to assure delivery of quality health care and medical services and the financial viability of the Corporation that will best promote and serve its purposes. 3 CMC Section 2826(c).

The Administrative Procedure Act provides that an agency may adopt an emergency regulation upon fewer than 30 days' notice if it states its reasons in writing:

(b) If an agency finds that the public interest so requires, or that an imminent peril to the public health, safety, or welfare requires adoption of a regulation, upon fewer than 30 days' notice, and states in writing its reasons for that finding, it may, with the concurrence of the Governor, proceed without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable, to adopt an emergency regulation. The regulation may be effective for a period of not longer than 120 days, but the adoption of an identical regulation under subsections (a)(1) and (a)(2) of this section is not precluded.

(c) No regulation adopted is valid unless adopted in substantial compliance with this section. . . .

1 CMC § 9104(b), (c).

THE TERMS AND SUBSTANCE: These Rules and Regulations provide for Oncology fee amendments to the CHCC Chargemaster.

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THE SUBJECTS AND ISSUES INVOLVED: Oncology Fee Amendments to the CHCC Chargemaster to provide for new services not previously offered at CHCC.

ADOPTION OF EMERGENCY REGULATIONS FOR 120 DAYS: The Corporation has followed the procedures of 1 CMC § 9104(b) to adopt these Proposed Regulations on an emergency basis for 120 days.

REASONS FOR EMERGENCY ADOPTION: The CHCC finds that the public interest requires adoption of these regulations on an emergency basis, for the following reasons:

1. The Current Procedural Terminology (CPT) Codes determine the structure of the fees at the Commonwealth Health Center. Recent changes make it necessary for CHC to make amendments to their Schedule of Fees, as described by the CPT structure.
2. CHCC has a new provider providing services that have not previously been offered at CHCC. For the first time ever, CHCC is directly employing an oncologist. Previously, while CHCC administered chemotherapy and other services, any variance from the initial oncologist's order required the patient to go off island to consult with the oncologist. Now, with having an oncologist on island, chemotherapies and other oncology treatments can be performed without having the patient travel off island. CHCC attempted to add additional oncology fees prior to the new physician arriving on island, but this was not possible. The oncologist has worked with members of the CHCC Revenue team in order to create these new fees. In order for CHCC to employ new higher level specialists at CHCC, CHCC needs to bill for those services. Having the oncologist at CHCC saves the patient from having to travel, often times when the patient is least able to physically travel, and saves Medical Referral all the travel costs associated with the patient and escort having to go off island. CHCC continues to bring new specialists to the island but can only continue to do so if the Corporation is financially viable. Charging market rate fees contribute to the financial viability of the Corporation and the Board is required to ensure CHCC is charging market rate fees.
3. Oncology services are already being rendered and an emergency promulgation will allow for timely billing.


DIRECTIONS FOR FILING AND PUBLICATION: These Proposed Emergency Rules and Regulations shall be published in the Commonwealth Register in the section/s on emergency and proposed regulations (see 1 CMC § 9102(a)(1)) and posted in convenient places in the civic center and in local government offices in each senatorial district (1 CMC § 9104(a)(1)) and will be codified at NMIAC Sections 140-10.8-101 and 140-10.8-201.

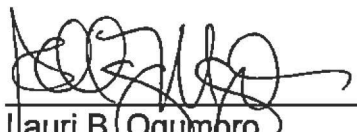
The CEO shall take appropriate measures to make these Rules and Regulations known to the persons who may be affected by them (1 CMC 9105(b)(2)).


IMMEDIATE EFFECT: These Emergency Rules and Regulations become effective immediately upon filing with the Commonwealth Register and delivery to the Governor. (1 CMC § 9105(b)(2)) This is because the CHCC has found that this effective date is required by the public interest or is necessary because of imminent peril to the public health, safety, or welfare. (*Id.*)

TO PROVIDE COMMENTS: No comments are required for these Emergency Rules and Regulations. However, the related Notice of Proposed Rules and Regulations will specify comment procedures. Please see the notice regarding these emergency regulations being presented as proposed regulations, in the June 2019 Commonwealth Register.


These emergency regulations were approved by the CHCC on 19 day of June, 2019.

Submitted by: for  _____
Esther L. Muna
Chief Executive Officer
Date 6/19/19

for  _____
Lauri B. Ogumpro
Chair, CHCC Board of Trustees
Date 6/19/19

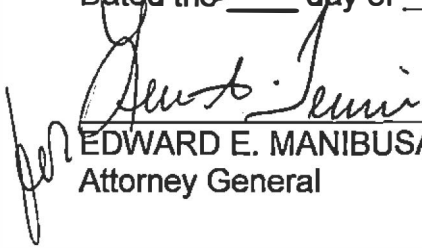
Received by  _____
Mathilda A. Rosario
Special Asst. for Administration
Date 06/25/19

Concurred by:  _____
Ralph DLG. Torres
Governor
Date 6-25-19

Filed and Recorded by:  _____
ESTHER SN. NESBITT
Commonwealth Register
Date 06.26.2019

Pursuant to 1 CMC § 2153(e) (AG approval of regulations to be promulgated as to form) and 1 CMC § 9104(a)(3) (obtain AG approval) the proposed regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General and shall be published (1 CMC § 2153(f) (publication of rules and regulations)).

Dated the 25th day of June, 2019.


EDWARD E. MANIBUSAN
Attorney General

COMMONWEALTH HEALTHCARE CORPORATION

CHCC Chargemaster Amendments 05/2019

PLEASE NOTE THAT THE FEES LISTED BELOW ARE APPLICABLE UNLESS THE CURRENT MEDICARE RATE IS HIGHER, IN WHICH CASE THE CURRENT MEDICARE RATE WILL APPLY INSTEAD OF THE RATE LISTED BELOW.

CPT/HCPCS	MOD	DESCRIPTION	PRICE
81206		Bcr/abl1 gene major bp	\$674.73
81207		Bcr/abl1 gene minor bp	\$596.04
81208		Bcr/abl1 gene other bp	\$661.89
10004		Fna bx w/o img gdn ea addl	\$136.01
10005		Fna bx w/us gdn 1st les	\$228.68
10006		Fna bx w/us gdn ea addl	\$155.75
10007		Fna bx w/fluor gdn 1st les	\$295.23
10008		Fna bx w/fluor gdn ea addl	\$192.67
10009		Fna bx w/ct gdn 1st les	\$357.08
10010		Fna bx w/ct gdn ea addl	\$261.06
80320		Drug Screen Quantalcohols	\$52.00
49406		Image cath fluid peri/retro	\$625.88
38220		Dx bone marrow aspirations	\$1,308.00
38220	26	Bone marrow aspiration	\$528.00
38220	26	Midlevel bone marrow aspiration	\$448.80
38221		Dx bone marrow biopsies	\$1,204.80
38221	26	Bone marrow biopsy	\$475.20
38221	26	Midlevel Bone marrow biopsy	\$403.75
38222		Dx Bone Marrow Bx & Aspir	\$2,512.80
38222	26	Bone marrow bx & asp	\$1,003.20
38222	26	Midlevel Bone marrow bx & asp	\$852.72
83789		Mass spectrometry quant	\$109.48