
CMS Manual System

Pub. 100-03 Medicare National Coverage Determinations

Department of Health &
Human Services (DHHS)
Centers for Medicare &
Medicaid Services (CMS)

Transmittal 11

Date: APRIL 16, 2004

CHANGE REQUEST 3250

I. SUMMARY OF CHANGES: After reconsideration of the national noncoverage determination for acupuncture, CMS concludes that acupuncture is not reasonable and necessary for the treatment of fibromyalgia and osteoarthritis within the meaning of section 1862(a)(1) of the Social Security Act. Therefore, CMS continues its national noncoverage determination for acupuncture.

NEW/REVISED MATERIAL - EFFECTIVE DATE: April 16, 2004

***IMPLEMENTATION DATE: April 16, 2004**

(This revision is a national coverage determination (NCD). The NCDs are binding on all carriers, fiscal intermediaries, quality improvement organizations, health maintenance organizations, competitive medical plans, and health care prepayment plans. Under 42 CFR 422.256(b), an NCD that expands coverage is also binding on a Medicare+Choice Organizations. In addition, an administrative law judge may not review an NCD. (See §1869(f)(1)(A)(i) of the Social Security Act.)

Disclaimer for manual changes only: The revision date and transmittal number apply only to the red italicized material. Any other material was previously published and remains unchanged. However, if this revision contains a table of contents, you will only receive the new/revised information, and not the entire table of contents.

II. CHANGES IN MANUAL INSTRUCTIONS:

(R = REVISED, N = NEW, D = DELETED)

R/N/D	CHAPTER/SECTION/SUBSECTION/TITLE
R	1/Table of Contents
R	1/30.3.1/Acupuncture for Fibromyalgia
R	1/30.3.2/Acupuncture for Osteoarthritis

*III. FUNDING:

These instructions shall be implemented within your current operating budget.

IV. ATTACHMENTS:

	Business Requirements
X	Manual Instruction
	Confidential Requirements

	One-Time Notification
	Recurring Update Notification

***Medicare contractors only**

Medicare National Coverage Determinations Manual

Chapter 1 - Coverage Determinations

Table of Contents

(Rev. 11, 04-16-04)

30.3.1 – Acupuncture for Fibromyalgia

30.3.2 – Acupuncture for Osteoarthritis

30.3.1 – Acupuncture for Fibromyalgia (Effective April 16, 2004)

(Rev. 11, 04-16-04)

General

Although acupuncture has been used for thousands of years in China and for decades in parts of Europe, it is still a relatively new agent of unknown use and efficacy in the United States. Even in those areas of the world where it has been widely used, its mechanism is not known. Three units of the National Institutes of Health, the National Institute of General Medical Sciences, National Institute of Neurological Diseases and Stroke, and Fogarty International Center were designated to assess and identify specific opportunities and needs for research attending the use of acupuncture for surgical anesthesia and relief of chronic pain. Following thorough review, and pending completion of the scientific assessment and efficacy of the technique, CMS initially issued a national noncoverage determination for acupuncture in May 1980.

Nationally Covered Indications

Not applicable.

Nationally Noncovered Indications

After careful reconsideration of its initial noncoverage determination for acupuncture, CMS concludes that there is no convincing evidence for the use of acupuncture for pain relief in patients with fibromyalgia. Study design flaws presently prohibit assessing acupuncture's utility for improving health outcomes. Accordingly, CMS determines that acupuncture is not considered reasonable and necessary for the treatment of fibromyalgia within the meaning of §1862(a)(1) of the Social Security Act, and the national noncoverage determination for acupuncture continues.

(This NCD last reviewed April 2004.)

30.3.2 – Acupuncture for Osteoarthritis (Effective April 16, 2004)

(Rev. 11, 04-16-04)

General

Although acupuncture has been used for thousands of years in China and for decades in parts of Europe, it is still a relatively new agent of unknown use and efficacy in the United States. Even in those areas of the world where it has been widely used, its mechanism is not known. Three units of the National Institutes of Health, the National Institute of General Medical Sciences, National Institute of Neurological Diseases and Stroke, and Fogarty International Center were designated to assess and identify specific opportunities and needs for research attending the use of acupuncture

for surgical anesthesia and relief of chronic pain. Following thorough review, and pending completion of the scientific assessment and efficacy of the technique, CMS initially issued a national noncoverage determination for acupuncture in May 1980.

Nationally Covered Indications

Not applicable.

Nationally Noncovered Indications

After careful reconsideration of its initial noncoverage determination for acupuncture, CMS concludes that there is no convincing evidence for the use of acupuncture for pain relief in patients with osteoarthritis. Study design flaws presently prohibit assessing acupuncture's utility for improving health outcomes. Accordingly, CMS determines that acupuncture is not considered reasonable and necessary for the treatment of osteoarthritis within the meaning of §1862(a)(1) of the Social Security Act, and the national noncoverage determination for acupuncture continues.

(This NCD last reviewed April 2004.)