

Sample Commercial Payor Rate Adjustment Letter:

Letter for Offices to Renegotiate their Rate for PROSTIVA RF Therapy

Date

Provider representative

Insurance company

Address

City, state, zip

Re: Fee Schedule for CPT code 53852

*Transurethral destruction of prostate tissue; by radio frequency thermotherapy
(PROSTIVA® RF Therapy)*

Dear _____:

We would appreciate your reviewing the fee schedule for CPT code 53852, used to report PROSTIVA RF Therapy.

The current Medicare Fee Schedule in [state or region] for this procedure is \$_____ and your fee schedule allows only \$_____. Would you advise why there is such a wide variance?

CPT Code 53852 has a 90-day global period and includes the following professional and technical components:

- Professional Service*
- PROSTIVA RF Therapy Disposable Handpiece*
- PROSTIVA RF Therapy Generator*
- Supplies (e.g., gloves, topical anesthetic, etc.)*
- Attending Nurse*
- Office Indirect Overhead Costs (office operating costs)*

The 2008 Medicare national average non-facility physician rate of \$2,960 (Geographic Practice Cost Indices apply) became effective January 1, 2008. This RVU information was published in the CMS Final Rule of the Physician Fee Schedule (Federal Register, Volume 72, No. 227/ November 27, 2007/Rules and Regulations). The Medicare Physician Fee Schedule conversion factor for 2008 is \$38.0870 as published by CMS in the "Revisions to Payment Policies under the Physician Fee Schedule for CY 2008" and amended by the Medicare, Medicaid and SCHIP Extension Act of 2007, Title I - Medicare, Sec. 101, December 29, 2007.

The current cost to my practice to deliver this therapy to my patients is \$_____ per case. This includes the capital equipment cost, disposable handpiece costs, and indirect expenses.

PROSTIVA RF Therapy is a minimally invasive treatment for symptomatic benign prostatic hyperplasia (BPH) that received FDA 510(K) clearance in 2005. RF therapy for symptomatic BPH, first cleared by the FDA in 1996, offers a cost-effective and quality-of-life enhancing alternative to the more invasive surgical procedure, transurethral resection of the prostate (TURP).

Following PROSTIVA RF Therapy, most men return to their normal lifestyles within a few days.

We perform PROSTIVA RF Therapy on patients who are covered by your health plan and believe that your allowable should be adjusted given the information provided above. In not adjusting the allowable, you are causing us to incur an economic hardship due to the cost of the single-use disposable handpiece, use of capital equipment, supplies, staffing, etc.

We would appreciate your consideration in appropriately readjusting the payment for 53852 to an amount commensurate to the procedure. Should you have any questions or comments please contact our office at [\[office phone number\]](#).

Sincerely,

[\[Physician's name\]](#), M.D.