

CMS Raises Hospital Payments Slightly in Final 2023 OPPS Rule

On Nov. 1, the Centers for Medicare & Medicaid Services (CMS) released its final 2023 Outpatient Prospective Payment System rule for 2023. Included in the final rule was a slightly enhanced overall payment update compared to the rule as originally proposed in July.

WHA had joined the American Hospital Association and other hospital groups in [calling for CMS to boost payment rates](#) to reflect the true growth in hospital costs over the last year due to rising labor costs, longer average lengths of inpatient stays, and the highest level of inflation in more than 25 years. While the final rule does not get close to the true level of inflation hospitals are experiencing, it does increase payments by a net 3.8% in calendar 2023, compared to the 2.7% net increase CMS had previously proposed.

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CMS also finalized a number of items it had put forth in its initial proposed rule, including:

- Exempting rural sole community hospitals from the site-neutral clinic visit cuts that originated in the 2019 OPPS rule.
- Continuing to pay for remote outpatient mental health services after the public health emergency expires, including audio-only and in-home remote services if certain criteria are met.
- Allowing advanced-practice providers to perform supervision of diagnostic tests utilizing telehealth so long as they are allowed to under their scope of practice and applicable State law.
- Finalizing the Rural Emergency Hospital designation along with its payment methodology and required quality measurements.
- Restoring the previous 340B payment levels of average sales price (ASP) +6% for 2023 payments in accordance with the U.S. Supreme Court decision in American Hospital Association v. Becerra. However, it will wait to restore cuts for calendar years 2018-2021 until sometime before next year's payment update.
- Adding a new service line, facet joint interventions, to the prior authorization program.

You can read the entire final rule [here](#). Contact WHA's VP Federal and State Relations Jon Hoelter with questions.

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