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MSP Applauds Cigna's Decision to Continue Payments for the Professional Component of Clinical Pathology Services

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MISSOURI - The Missouri Society of Pathologists (MSP) applauds Cigna's decision to stop implementation of their previously announced policy update on payment for the professional component of clinical pathology (PCCP) services. In April 2021, Cigna announced it no longer intended to make payment for claims for PCCP services with Modifier 26, suggesting the change was consistent with CMS policy. This change was slated to become effective July 10, 2021. MSP immediately engaged in a discussion with Cigna and its efforts proved instrumental in the reversal of Cigna's proposed change to its reimbursement policy.

Pathologists spend a significant amount of time and effort providing medical oversight over clinical laboratory services to ensure accurate and timely test results that directly impact healthcare delivery, and shoulder the medical and legal responsibility for such services. Many of these services are mandated by the Clinical Laboratory Improvement Amendments (CLIA). MSP supports the College of American Pathologists (CAP) stance on this issue. Per CAP, essential medical services under PCCP include:

- Assuring tests are properly performed, recorded and reported;
- Interacting with healthcare providers regarding operations, quality, and test availability;
- Designing protocols and establishing parameters for performance of clinical testing;
- Recommending appropriate follow-up diagnostic tests when appropriate;
- Supervising laboratory technicians;
- Selecting, evaluating, and validating test methodologies;
- Directing, performing, and evaluating quality assurance and control procedures;
- Evaluating data and establishing review process prior to issuance of patient reports; and
- Assuring compliance with State, Medicare, TJC, CAP, and Federal standards.

MSP identified multiple legal and contractual principles and authority that prohibit Cigna's unilateral refusal to pay for PCCP Services including, the inability to make a unilateral change to a fundamental term of a contract, potential benefit plan violations, course of dealing and waiver considerations, and the covenant of good faith and fair dealing. The Society was concerned about the loss of healthcare access and quality of laboratory testing for Cigna's insured.

MSP's legal counsel informed the Society that Cigna decided to shelve its plans to implement its PCCP policy update. Cigna issued a formal notice to Missouri pathologists advising that implementation of the policy has been suspended. MSP welcomes this decision by Cigna and remains committed in advocating for its members and the healthcare of all Missourians.

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