



American Association of Neurological Surgeons



Congress of Neurological Surgeons



SpineSection.org

AANS/CNS Section on Disorders of the Spine and Peripheral Nerves



INTERNATIONAL SOCIETY for the ADVANCEMENT of SPINE SURGERY THE INNOVATION SOCIETY

NASS ADVANCING GLOBAL SPINE CARE



Ellen Montz, PhD
Deputy Administrator and Director
Consumer Information and Insurance Oversight
Centers for Medicare and Medicaid Services
7500 Security Boulevard
Baltimore, MD 21244-1850

May 21, 2024

Submitted electronically via: Ellen.Montz@cms.hhs.gov

Subject: Biomechanical Interbody Devices and Anterior Cervical Discectomy & Fusion

Dear Dr. Montz,

On behalf of the American Association of Orthopaedic Surgeons (AAOS), American Association of Neurological Surgeons (AANS), Congress of Neurological Surgeons (CNS), AANS/CNS Section on Disorders of the Spine and Peripheral Nerves (DSPN), International Society for the Advancement of Spine Surgery (ISASS), North American Spine Society (NASS) and the Cervical Spine Research Society (CSRS), we are writing the Centers for Medicare & Medicaid to raise awareness regarding Aetna’s coverage policy for biomechanical interbody devices in the cervical spine for use in Anterior Cervical Discectomy and Fusion (ACDF) surgeries.

Aetna continues to be the only payer that does not recognize the use of these devices as a “standard of care”, restricting their use which ultimately impacts the surgeon’s ability to provide medically necessary care. Aetna’s policy cites spinal cages as experimental and not medically necessary. This is inconsistent with Aetna’s own policies which allow biomechanical material in lumbar spine (LIFs) and corpectomies.

Additionally, Aetna’s policy is inconsistent with CMS guidelines which allows for reporting of biomechanical interbody devices with ACDF. Aetna has a Medicare Advantage program which must adhere to CMS guidelines in the U.S. according to federal law. Aetna’s policy also does not follow Current Procedural Terminology (CPT) guidelines which state the appropriate codes to be reported with these devices. This can be found with the code descriptors for the interbody biomechanical device codes in the CPT Manual.

The undersigned societies appreciate the opportunity to bring this issue to your attention. Please contact Lori Shoaf, Vice President, Government Relations at Shoaf@aaos.org should you need additional information.

Respectfully,

American Association of Orthopaedic Surgeons
American Association of Neurological Surgeons
Congress of Neurological Surgeons
AANS/CNS Section on Disorders of the Spine and Peripheral Nerves
International Society for the Advancement of Spine Surgery
North American Spine Society
Cervical Spine Research Society