

May 12, 2025

Bruce Broussard, Chief Executive Officer

George Renaudin, President Medicare & Medicaid

Kate Goodrich, MD, MHS Senior Vice President, Chief Medical Officer

Manisah Dhuria, MD, MBA, Associate Vice President, Physician Leadership

Humana

500 W. Main St.

Louisville, KY 40202

Subject: Addressing Patient Access to PNS Treatments

Dear Mr. Broussard, Mr. Renaudin, and Drs. Goodrich and Dhuria:

We are writing on behalf of the more than 95,000 members our undersigned societies represent to draw your attention to concerns around access to care for peripheral nerve stimulation (PNS) therapy. Our members include anesthesiologists, interventional radiologists, neurologists, neurosurgeons, orthopedic surgeons, physiatrists, psychologists, engineers, scientists, and health care professionals. Collectively, we are dedicated to improving access to treatment for patients suffering with debilitating pain.

We are expressing serious concerns regarding ongoing prior authorization delays and denials for patients seeking access to this life-changing, non-opioid treatment option. Despite a favorable National Coverage Determination (NCD) for PNS, our members have expressed that they are facing alarmingly low approval rates for PNS therapies. Based upon our review of NCD 160.7², we firmly believe that PNS treatment is a covered benefit for Medicare beneficiaries.

In addition to our review of NCD 160.7, we have reviewed the Medicare Managed Care Manual, Chapter 4 - Benefits and Beneficiary Protections (Rev. 121, Issued: 04-22-16)¹. Section 10.2 outlines the coverage parameters that MCOs must follow. We would like to draw your attention to these two statements specifically:

10.2 – Basic Rule (Rev. 121, Issued: 04-22-16, Effective: 04-22-16, Implementation: 04-22-16)
MA plans must provide their enrollees with all basic benefits covered under original Medicare. Consequently, plans may not impose limitations, waiting periods or exclusions from coverage due to pre-existing conditions that are not present in original Medicare.

- Access: MA enrollees must have access to all medically necessary Part A and Part B services. However, MA plans are not required to provide MA enrollees the same access to providers that is provided under original Medicare (see accessibility rules for MA plans under section 110 of this chapter).

We recommend that Humana Medicare beneficiaries receive the same access to this life-changing treatment as those covered by Traditional Medicare. According to statutory requirements, Humana must provide its beneficiaries with the same level of care as Traditional Medicare (Social Security Act § 1852(a)(1); 42 C.F.R. § 422.101(a)). This obligation is not currently being fulfilled. We are committed to working with Humana to promote the highest quality, most efficient patient care for patients dealing with chronic pain and other conditions that may be with targeted electrical, chemical, and biological technologies to the nervous system to improve function and quality of life. We are open to a call to discuss our concerns and look forward to finding a resolution so all Medicare beneficiaries have access to PNS therapies.

Sincerely,

American Association of Neurological Surgeons
American Academy of Pain Medicine
North American Neuromodulation Society
International Pain and Spine Intervention Society
American Society of Spine Radiology
American Society of Regional Anesthesia and Pain Medicine
Congress of Neurological Surgeons
North American Spine Society
Society for Interventional Radiology
American Academy of Physical Medicine and Rehabilitation
American Society of Anesthesiologists

References:

1. *Medicare managed care manual: Chapter 4—Benefits and beneficiary protections* (2nd ed.). U.S. Department of Health and Human Services.
<https://www.hhs.gov/guidance/document/medicare-managed-care-manual-chapter-4-benefits-and-beneficiary-protections-2>

2. Centers for Medicare & Medicaid Services. (n.d.). *National coverage determination (NCD) for home use of oxygen* (NCD 240). Centers for Medicare & Medicaid Services.
<https://www.cms.gov/medicare-coverage-database/view/ncd.aspx?NCID=240>