

NGC Trustees Extend Amendments Relative to Pulmonary Function Testing

On March 28, 2008, the Trustees extended, for an additional two-year period, alternate means of satisfying the definition of Pulmonary Function Testing (“PFT”). Under these alternate means, the Hospital Presumption is joined by a presumption that (i) a diagnosis by a board-certified pulmonologist or (ii) a PFT administered or reported by a board-certified pulmonologist, when accompanied by the diagnosis of a Qualified Physician, will also satisfy the ATS standard (the “Pulmonologist Presumption”). Board certification is determined by reference to Board Certification Lists maintained by and available from the American Board of Medical Specialties.

The Trustees also extended the “Grandfather Exception” under which claims with PFTs that were not performed at an accredited hospital or do not meet the “Pulmonologist Presumption” may not be subject to the requirement to submit a full report, including all tracings, to the Trust’s claims facility. Pursuant to the Grandfather Exception, for claims diagnosed prior to May 1, 2006, a claimant may submit a summary report if the summary report is accompanied by a certification from the administering or reporting physician or the administering lab that (i) a full PFT report is not available and (ii) to the best knowledge of the physician or lab, the PFT for the claimant was conducted in material compliance with ATS standards, both as to the manner of the test and the testing equipment utilized in the test.

The facility will provide the appropriate certification form upon request and it is available on the Trust’s website at www.ngcbitrust.org (click on the “Documents” icon).

For claims diagnosed after May 1, 2006, a full PFT report will be required if the Non-Malignant I claim does not meet the requirements of the Hospital Presumption or the Pulmonologist Presumption.

The Trustees have extended the initial two-year test period for an additional two years. Absent further action by the Trustees, these amendments will expire May 1, 2010.

If you have questions regarding any of the foregoing, please contact Vince Mouer, the Trust’s Chief Legal Officer at 903.453.0156. He may also be reached via e-mail at vmouer@trustservices.org.