

NAME:
REGARDING:

SS#:

Industry and Local 338 Welfare Fund

LOCAL: 338
STATUS: Full Time

ISSUE: Hospital/Medical – Experimental/Investigational #M24/101-9026

FUND RULE:

“Summary of Material Modifications

“The Board of Trustees have carefully considered the relative merits of cell-based therapy and have decided to exclude all such therapy under the Plan effective July 1, 2019. As such, the Exclusions and Limitations section of the Hospital and Health Benefits/PPO Benefits found in the SPD is amended with the addition of the following to the list of exclusions.

Exclusions and Limitations

In addition to services listed under “What’s Not Covered” in the prior sections, the Fund does not cover the following:

- Charges related to gene therapy

Gene therapy typically involves replacing a gene that causes a medical problem with one that does not, adding genes to help the body fight or treat disease, or inactivating genes that cause medical problems. The Fund does not cover any charges related to gene therapy, whether those therapies have received approval from the U.S. Food and Drug Administration (“FDA”) or are considered experimental or investigational. Illustrative examples of gene therapy include therapies such as Kymriah and Yescarta, as well as Luxturna and Zolgensma, but new applications for gene therapies are submitted every year. The Fund does not cover any related genetic testing intended to determine whether particular genetic mutations are present and/or whether particular drug therapies might work for a particular patient before any of the above gene therapy is initiated.”

SUMMARY:

Date(s) of Service:	April 29, 2024
Claim(s) Received:	June 12, 2024
Claim(s) Denied:	June 13, 2024
Appeal Received:	September 25, 2024

The **provider**, Counsyl, is appealing for payment of a denied claim for genetic testing. The provider states in summary that the tests are medically necessary because the participant spouse is being tested for genes responsible for cystic fibrosis, spinal muscular atrophy, and “early detection of carrier status provides patients with actionable health information for optimized reproductive health.”

Records indicate that Counsyl submitted a claim for genetic testing on April 29, 2024 with the diagnosis “Encounter of female for testing for genetic disease carrier status for procreative management.” The claim was denied because the Fund does not cover any related genetic testing intended to determine whether particular genetic mutations are present.

ACTION: Approved ☐ Denied ☐ Tabled ☐
COMMENTS: