

# MEDICAL POLICY

<b>MEDICAL POLICY DETAILS</b>	
<b>Medical Policy Title</b>	<b>Comfort, Convenience, Custodial or Cosmetic Services</b>
<b>Policy Number</b>	<b>11.01.11</b>
<b>Category</b>	<b>Contract Clarification</b>
<b>Original Effective Date</b>	<b>03/27/03</b>
<b>Committee Approval Date</b>	<b>04/22/04</b>
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<b>Product Disclaimer</b>	<ul style="list-style-type: none"> <li>• <i>Services are contract dependent; If a product excludes coverage for a service, it is not covered, and medical policy criteria do not apply.</i></li> <li>• <i>If a commercial product (including an Essential Plan or Child Health Plus product), medical policy criteria apply to the benefit.</i></li> <li>• <i>If a Medicaid product covers a specific service, and there are no New York State Medicaid guidelines (eMedNY) criteria, medical policy criteria apply to the benefit.</i></li> <li>• <i>If a Medicare product (including Medicare HMO-Dual Special Needs Program (DSNP) product) covers a specific service, and there is no national or local Medicare coverage decision for the service, medical policy criteria apply to the benefit.</i></li> <li>• <i>If a Medicare HMO-Dual Special Needs Program (DSNP) product DOES NOT cover a specific service, please refer to the Medicaid Product coverage line.</i></li> </ul>

## POLICY STATEMENT

- I. Eligibility for reimbursement is based upon the benefits set forth in the member's subscriber contract.
- II. If it appears that a service may be characterized as a comfort, convenience, custodial, or cosmetic service, and it is a service that is otherwise covered under the member's subscriber contract, the Health Plan will request additional, pertinent information in order to make a determination. Upon receipt of the information requested, a Health Plan Medical Director will review the request for medical necessity. The determination will be based on the criteria indicated in the appropriate Health Plan policy or policies.

Some of the policies that may be used in these decisions are the following:

<u>Policy Number</u>	<u>Title</u>
1.01.00	Durable Medical Equipment (DME) – Standard and Non-Standard
2.01.38	Treatment of Hirsutism/Hypertrichosis (Hair Removal)
7.01.11	Cosmetic and Reconstructive Procedures
7.01.39	Reduction Mammoplasty (Mammoplasty)
7.01.47	Varicose Vein Treatments
7.01.53	Abdominoplasty and Panniculectomy

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7.01.55	Blepharoplasty, with or without Levator Muscle Advancement
10.01.01	Breast Reconstruction Surgery and Prophylactic Breast Cancer Risk-Reducing Mastectomy
11.01.01	Medical/Non-Surgical Weight Management Programs and Services
11.01.15	Medically Necessary Services

**DESCRIPTION**

The purpose of this policy is to clarify the meaning of “Comfort,” “Convenience,” “Custodial,” and “Cosmetic.” A particular request that is being reviewed, once classified as within one of these four categories (when applicable), will require medical necessity review. The review will be subject to the then-current law governing medical necessity.

The description for each of the four terms of this policy is based on the generally accepted language used by the Centers for Medicare & Medicaid Services (CMS).

**I. Comfort:**

Items and/or services that do not contribute meaningfully to the treatment of an illness or injury or the functioning of a malformed body member (except for hospice care) are defined as comfort items. Devices or equipment deemed presumptively non-medical and considered to be comfort items include, but are not limited to, environmental control devices (heaters, air conditioners, humidifiers, dehumidifiers, and electric air cleaners), physical fitness equipment, first aid supplies, and precautionary equipment (e.g., safety grab bars, training equipment, etc.).

**II. Convenience:**

Items and/or services that do not contribute meaningfully to the treatment of an illness or injury or the functioning of a malformed body member (except for hospice care) AND that are primarily for the convenience of the patient and/or the caregiver are classified as convenience items. Examples of convenience items include, but are not limited to elevators, stairway elevators (stair lifts), ergonomic chairs, ramps, and home or car adaptive equipment.

**III. Custodial:**

Custodial care connotes a level of routine maintenance or supportive care that need not be provided by trained and skilled professional personnel.

In determining whether a person is receiving custodial care, the patient’s medical record is reviewed, using established criteria, and consideration is given to the level of care and medical supervision required and furnished.

Custodial care and/or services are those that are designed essentially to assist an individual with personal care. The services that constitute personal care and considered custodial include, but are not limited to, help in walking, getting in and out of bed, bathing, dressing, feeding, and using the toilet; preparation of diet; and supervision of medications that can be self-administered and do not entail or require the continuing attention of trained medical or paramedical personnel.

**IV. Cosmetic:**

Cosmetic services can consist of surgery, drugs, procedures, and/or related services. Cosmetic surgery includes any surgical procedure directed at improving appearance. In determining whether a surgical procedure is cosmetic, clinical information is reviewed, using established criteria. In some situations, for example a severe burn with associated functional impairment, surgery would be performed primarily for a therapeutic purpose, but might also coincidentally serve a cosmetic purpose.

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**CODES**

- Eligibility for reimbursement is based upon the benefits set forth in the member's subscriber contract.
- **CODES MAY NOT BE COVERED UNDER ALL CIRCUMSTANCES. PLEASE READ THE POLICY AND GUIDELINES STATEMENTS CAREFULLY.**
- Codes may not be all inclusive as the AMA and CMS code updates may occur more frequently than policy updates.
- Code Key: Experimental/Investigational = (E/I), Not medically necessary/ appropriate = (NMN).

**CPT Codes**

Code	Description
Numerous	

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**HCPCS Codes**

Code	Description
Numerous	

**ICD10 Codes**

Code	Description
Numerous	

**REFERENCES**

**KEY WORDS**

Comfort, Convenience, Cosmetic, Custodial

**CMS COVERAGE FOR MEDICARE PRODUCT MEMBERS**

There is currently no National Coverage Determination (NCD) or Local Coverage Determination (LCD) for Comfort, Convenience, Custodial or Cosmetic Services. However, some of these services are addressed in Chapter 16, sections 80, 110, and 120, of the Medicare Benefit Policy Manual which addresses General Exclusions from Coverage. Please refer to the following website for Medicare Members. Medicare Benefit Policy Manual Chapter 16-General Exclusions From Coverage: <http://www.cms.hhs.gov/manuals/Downloads/bp102c16.pdf>. accessed 11/11/24.