
Sterilizations and Related Procedures

4.224 Sterilizations and Related Procedures (8/6/2016, GCR 16-029)

4.224.1 Conditions for Coverage

- (a) Sterilization of either a male or female beneficiary is covered only when all the following conditions are met:
- (1) The beneficiary has voluntarily given informed consent and has so certified by signing a consent for sterilization form in accordance with 42 CFR Part 441, Appendix to Subpart F.
 - (2) The beneficiary is mentally competent.
 - (3) The beneficiary is at least 21 years old at the time consent is obtained.
 - (4) At least 30 days, but not more than 180 days, have passed between the date of informed consent and the date of sterilization, except in the case of premature delivery or emergency abdominal surgery.
 - (A) In the case of premature delivery or emergency abdominal surgery:
 - (i) At least 72 hours must have passed between the informed consent and the operation; and
 - (ii) In the case of premature delivery the consent for sterilization form must have been signed at least 30 days before the expected delivery date.
- (b) Hysterectomy is covered only when the following conditions are met:
- (1) Oral or written consent is provided and documentation shows written acknowledgement of the receipt of the information before the hysterectomy, or
 - (2) In the case that oral or written consent is not given, a physician certifies that:
 - (A) The individual was already sterile before the hysterectomy, or
 - (B) A life threatening situation existed making prior acknowledgement not possible, and the nature of the emergency.

4.224.2 Non-Covered Services

- (a) Operations or procedures performed for the purpose of reversing or attempting to reverse the effects of any sterilization procedure are not covered.
- (b) A hysterectomy is not covered if:
- (1) It was performed solely for the purpose of rendering an individual incapable of reproducing; or
 - (2) There was more than one purpose to the procedure, and it would not have been performed but for the purpose of rendering the individual permanently incapable of reproducing.