

Section 1833(h)(5)(A) of the Act provides that a referring laboratory may bill for clinical laboratory diagnostic tests on the clinical laboratory fee schedule for Medicare beneficiaries performed by a reference laboratory only if the referring laboratory meets certain conditions.

Prior to billing for services, please review and attest to one of the following options.

**Option 1:**

If you wish to bill under the first exception, you must provide the name and subsidiary relationship of your referral laboratories. Please furnish documentation supporting one (1) of the three conditions (A, B, C) of the first exception listed. All information you provide is subject to subsequent review and validation.

1. The referring and reference laboratories are ownership related. That is:
  - A. The referring laboratory is wholly-owned by the reference laboratory; or
  - B. The referring laboratory wholly owns the reference laboratory; or
  - C. Both the referring laboratory and the reference laboratory are wholly-owned subsidiaries of the same entity.

Do any of these situations apply to your laboratory?     Yes     No

If yes, what is the effective date? \_\_\_\_\_

**Option 2:**

To qualify for the second exception, no more than thirty (30) percent of the clinical diagnostic tests for which the laboratory is required to do annually may be performed by a reference laboratory (other than an ownership-related laboratory).

For laboratories who wish to qualify under the second exception, please inform us in writing that your referral work will not exceed thirty (30) percent of your total tests to be billed in any given calendar year.

2. No more than thirty (30) percent of the clinical diagnostic laboratory tests for which the referring laboratory receives requests annually may be performed by another laboratory, other than an ownership-related laboratory described.

Does this situation apply to your laboratory?     Yes     No

If yes, what is the effective date? \_\_\_\_\_

## Attestation Statement and Signature

If it is later found that a referring laboratory does not, in fact, meet an exception criterion, the A/B MAC (B) should recoup payment for the referred tests improperly billed. The RO shall take whatever action is necessary to correct the problem.

Only one laboratory may bill for a referred laboratory service. It is the responsibility of the referring laboratory to ensure that the reference laboratory does not bill Medicare for the referred service when the referring laboratory does so (or intends to do so). In the event the reference laboratory bills or intends to bill Medicare, the referring laboratory may not do so.

Additional information can be found in regulatory guidance.

Please have the Authorized or Delegated Official on file for your laboratory sign and date this form to attest to the information given. The signature must be handwritten. You must also provide all details of the attesting laboratory, as applicable, in the fields below.

---

Provider Transaction Access Number (PTAN) (if issued)

---

National Provider Identifier (NPI)

---

Laboratory Legal Business Name (as listed with the IRS)

---

Authorized/Delegated Official Printed Name (First, Last)

---

Authorized/Delegated Official Phone Number (print or type)

---

Authorized/Delegated Official Email Address (print or type)

---

Authorized/Delegated Official Signature (handwritten only)

---

Date of Attestation

Once all fields are entered and the Authorized/Delegated Official has signed and dated with handwritten signature, fax or mail completed attestation to Provider Enrollment for review. If contact information is provided, we will notify you upon completion of the process.

**Part B Fax Number:** 701-277-7868

**Mailing information can be found on our website.**

**JE:** <https://med.noridianmedicare.com/web/jeb/contact/mailing-addresses>;