

Local Coverage Article: Billing and Coding: Incident To Clarification for OPPTS and CAH Outpatient (A55214)

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Contractor Information

| CONTRACTOR NAME | CONTRACT TYPE | CONTRACT NUMBER | JURISDICTION | STATE(S) |
|------------------------------------|---------------|-----------------|--------------|--------------|
| Noridian Healthcare Solutions, LLC | A and B MAC | 02101 - MAC A | J - F | Alaska |
| Noridian Healthcare Solutions, LLC | A and B MAC | 02102 - MAC B | J - F | Alaska |
| Noridian Healthcare Solutions, LLC | A and B MAC | 02201 - MAC A | J - F | Idaho |
| Noridian Healthcare Solutions, LLC | A and B MAC | 02202 - MAC B | J - F | Idaho |
| Noridian Healthcare Solutions, LLC | A and B MAC | 02301 - MAC A | J - F | Oregon |
| Noridian Healthcare Solutions, LLC | A and B MAC | 02302 - MAC B | J - F | Oregon |
| Noridian Healthcare Solutions, LLC | A and B MAC | 02401 - MAC A | J - F | Washington |
| Noridian Healthcare Solutions, LLC | A and B MAC | 02402 - MAC B | J - F | Washington |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03101 - MAC A | J - F | Arizona |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03102 - MAC B | J - F | Arizona |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03201 - MAC A | J - F | Montana |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03202 - MAC B | J - F | Montana |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03301 - MAC A | J - F | North Dakota |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03302 - MAC B | J - F | North Dakota |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03401 - MAC A | J - F | South Dakota |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03402 - MAC B | J - F | South Dakota |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03501 - MAC A | J - F | Utah |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03502 - MAC B | J - F | Utah |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03601 - MAC A | J - F | Wyoming |
| Noridian Healthcare Solutions, LLC | A and B MAC | 03602 - MAC B | J - F | Wyoming |

Article Information

General Information

Article ID

A55214

Original Effective Date

10/01/2015

Article Title

Billing and Coding: Incident To Clarification for OPPTS and CAH Outpatient

Article Type

Billing and Coding

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CMS National Coverage Policy

Medicare Benefit Policy Manual Chapter 6 Section 20.5.1
Social Security Act (SSA) Section 1861(s)(2)(K)(i)
42 CFR§410.27
42 CFR§482.12(c)

Revision Effective Date

10/01/2015

Revision Ending Date

N/A

Retirement Date

N/A

Article Guidance

Article Text:

In response to provider requests, Noridian Healthcare Solutions, LLC (Noridian) provides the following key points related to the "incident to" regulations in the outpatient hospital setting. Note: There is no "incident to" in the inpatient setting.

Medicare may reimburse the costs of services provided either:

1. delivered personally by eligible practitioners, e.g., MD, NP, PA; or
2. delivered by hospital personnel working "incident to" the eligible practitioner's care.

When hospital personnel provide services, the following payment requirements must be met. Services delivered incident to the services of an eligible practitioner must:

- o Be an integral although **incidental part** of a physician's/non-physician practitioner's (NPP's) professional service(s) and, hence, must always occur after an initial patient care service is provided by an eligible practitioner;

- o Be delivered in accordance with a **valid and signed order**, i.e., written by "a practitioner who is authorized to write orders by hospital policy and in accordance with state law..." 42 CFR§482.12(c);

- o Be delivered under the **supervision of a physician** who is an employee or has another contractual relationship with the hospital and is **immediately available** to provide assistance to the personnel delivering the service;

- "Immediately available" in the outpatient hospital setting means that the physician must be **available in the same time-frame as the personnel designated to manage cardiac arrests** (codes) in the hospital.

- The supervisor need not be in the same department as the ordering physician/NPP or in the same department in which the services are rendered but must be **on the physical premises** where and when the patient receives services.

The physician/NPP that provides the oversight may not bill for the services of hospital employees. Only the hospital may bill for the services of hospital employees.

All service providers must work in accordance with their skills, licensure, and/or other hospital and other Medicare requirements.

Coding Information

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| CPT/HCPCS Codes |
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| N/A |
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| CPT/HCPCS Modifiers |
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N/A

ICD-10 Codes that Support Medical Necessity

N/A

ICD-10 Codes that DO NOT Support Medical Necessity

N/A

Additional ICD-10 Information

N/A

Bill Type Codes:

Contractors may specify Bill Types to help providers identify those Bill Types typically used to report this service. Absence of a Bill Type does not guarantee that the policy does not apply to that Bill Type. Complete absence of all Bill Types indicates that coverage is not influenced by Bill Type and the policy should be assumed to apply equally to all claims.

N/A

Revenue Codes:

Contractors may specify Revenue Codes to help providers identify those Revenue Codes typically used to report this service. In most instances Revenue Codes are purely advisory. Unless specified in the policy, services reported under other Revenue Codes are equally subject to this coverage determination. Complete absence of all Revenue Codes indicates that coverage is not influenced by Revenue Code and the policy should be assumed to apply equally to all Revenue Codes.

N/A

Other Coding Information

N/A

Revision History Information

| REVISION HISTORY DATE | REVISION HISTORY NUMBER | REVISION HISTORY EXPLANATION |
|-----------------------|-------------------------|--|
| 10/01/2015 | R1 | As required by CR 10901, article is converted to a formal billing and coding type article. There is no change in coverage. |

Associated Documents

Related Local Coverage Document(s)

N/A

Related National Coverage Document(s)

N/A

Statutory Requirements URL(s)

N/A

Rules and Regulations URL(s)

N/A

CMS Manual Explanations URL(s)

N/A

Other URL(s)

N/A

Public Version(s)

Updated on 05/07/2020 with effective dates 10/01/2015 - N/A

Updated on 07/19/2016 with effective dates 10/01/2015 - N/A

Keywords

N/A