

# Podiatry

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## General Information

Updated: 2/22/2019

The Virginia Medicaid Provider Manual describes the role of the provider in the Virginia Medical Assistance Program (Medicaid). To provide a better understanding of the Medicaid Program, this manual explains Medicaid rules, regulations, procedures, and reimbursement and contains information to assist the provider in answering inquiries from Medicaid members.

The manual can also be an effective training and reference tool for provider administrative personnel, since it conveys basic information regarding the Medicaid Program, covered and non-covered services, and billing procedures. Proper use of the manual will result in a reduction of errors in claims filing and, consequently, will facilitate accurate and timely payment.

In addition to the Medicaid Program, other programs administered by the Department of Medical Assistance Services (DMAS) include the Family Access to Medical Insurance Security (FAMIS) program, the State and Local Hospitalization (SLH) program, and the Uninsured Medical Catastrophe Fund. If you have any questions concerning the Medicaid Program or any of the other programs listed above, please contact the provider "HELPLINE" at:

- 804-786-6273 Richmond Area
- 1-800-552-8627 All other areas

## Program Background

In 1965, Congress created the Medical Assistance Program as Title XIX of the Social Security Act, which provides for federal grants to the states for their individual Medical

Assistance programs. Originally enacted by the Social Security amendments of 1965 (Public Law 89-97), Title XIX was approved on July 30, 1965. This enactment is popularly called "Medicaid" but is officially entitled "Grants to States for Medical Assistance Programs." The purpose of Title XIX is to enable the states to provide medical assistance to eligible indigent persons and to help these individuals if their income and resources are insufficient to meet the costs of necessary medical services. Such persons include dependent children, the aged, the blind, the disabled, pregnant women, and needy children.

The Medicaid Program is a jointly administered federal/state program that provides payment for necessary medical services to eligible persons who are unable to pay for such services. Funding for the Program comes from both the federal and state governments. The amount of federal funds for each state is determined by the average per capita income of the state as compared to other states.

Virginia's Medical Assistance Program was authorized by the General Assembly in 1966 and is administered by the Virginia Department of Medical Assistance Services (DMAS). The Code of Federal Regulations allows states flexibility in designing their own medical assistance programs within established guidelines. Virginia Medicaid's goal is to provide health and medical care for the Commonwealth's poor and needy citizens using the health care delivery system already in place within the state. In 2003, the Virginia General Assembly changed the name of the Medicaid program covering most children to FAMIS Plus. The change in name was intended to facilitate a coordinated program for children's health coverage including both the FAMIS (Family Access to Medical Insurance Security Plan) and FAMIS Plus programs. All covered services and administrative processes for children covered by FAMIS Plus remain the same as in Medicaid. While the Virginia Medicaid Program is administered by DMAS, the eligibility determination process is performed by local departments of social services through an interagency agreement with the Virginia Department of Social Services. The *State Plan for Medical Assistance* for administering the Medicaid Program was developed under the guidance of the Advisory Committee on Medicare and Medicaid appointed by the Governor of the Commonwealth of Virginia. The State Plan is maintained through continued guidance from the Board of Medical Assistance Services, which approves amendments to the *State Plan for Medical Assistance* with policy support from the Governor's Advisory Committee on Medicare and Medicaid. Members of the Governor's Advisory Committee and the Board of Medical Assistance Services are appointed by the Governor.

Individuals originally became eligible for Medicaid because of their "categorical" relationship to two federal cash assistance programs: Aid to Families with Dependent Children (AFDC) and Supplemental Security Income (SSI). However, congressional mandates in the late 1980s resulted in dramatic changes in Medicaid eligibility provisions. Now individuals, in additional selected low-income groups, are eligible for Medicaid solely on the relationship of their incomes to the Federal Poverty Guidelines. New Federal Poverty Guidelines are published annually in the *Federal Register* and become effective upon publication.

On June 7, 2018, Governor Northam approved the state budget that expanded eligibility to include the Modified Adjusted Gross Income (MAGI) adult group, also known as the Medicaid Expansion covered group. The MAGI adult group includes adults between the ages of 19 and 64, who are not eligible for or enrolled in Medicare, and who meet income eligibility rules. After receiving the necessary approvals from the Centers for Medicare and Medicaid Services (CMS), DMAS began enrolling individuals in the MAGI adult group on January 1, 2019.

Medicaid is a means-tested program. Applicants' income and other resources must be within program financial standards, and different standards apply to different population groups, with children and pregnant women, the MAGI adult group, and persons who are aged, blind, or disabled. Reference Chapter III of this manual for detailed information on groups eligible for Medicaid.

## **General Scope of the Program**

The Medical Assistance Program (Medicaid) is designed to assist eligible members in securing medical care within the guidelines of specified State and federal regulations. Medicaid provides access to medically necessary services or procedures for eligible members. The determination of medical necessity may be made by the Utilization Review Committee in certain facilities, a peer review organization, DMAS professional staff or DMAS contractors.

### Covered Services

The following services are provided, **with limitations** (certain of these limitations are set forth below), by the Virginia Medicaid Program:

- BabyCare - Prenatal group patient education, nutrition services, and homemaker services for pregnant women and care coordination for high-risk pregnant women and infants up to age two.
- Blood glucose monitors and test strips for pregnant women
- Case management services for high-risk pregnant women and children up to age 1

(as defined in the State Plan and subject to certain limitations)

- Christian Science sanatoria services
- Clinical psychology services
- Clinic services
- Community developmental disability services
- Contraceptive supplies, drugs and devices
- Dental services
- Diabetic test strips
- Durable medical equipment and supplies
- Early and Periodic Screening, Diagnosis and Treatment Program (EPSDT) - For individuals under age 21, EPSDT must include the services listed below:
- Screening services, which encompass all of the following services:
  - Comprehensive health and developmental history
  - Comprehensive, unclothed physical exam
  - Appropriate immunizations according to age and health history
  - Laboratory tests (including blood lead screening)

- Health education
  
- Home health services
  
- Eyeglasses for all members younger than 21 years of age according to medical necessity
  
- Hearing services
  
- Inpatient psychiatric services for members under age 21
  
- Environmental investigations to determine the source of lead contamination for children with elevated blood lead levels
  
- Other medically necessary diagnostic and treatment services identified in an EPSDT screening exam, not limited to those covered services included above
  
- Skilled nursing facilities for persons under 21 years of age
  
- Transplant procedures as defined in the section “transplant services”
  
- All states are required to offer EPSDT to all Medicaid-eligible individuals under age 21 to determine any physical and mental defects that they may have and to provide health care, treatment, and other measures to correct or ameliorate the defects or chronic conditions discovered. The services available under EPSDT are not limited to those available in the Medicaid State Plan for Medical Assistance. Services requiring preauthorization under the State Plan for Medical Assistance will continue to require pre-authorization. DMAS reserves the right to utilize medical necessity

criteria for non-State Plan services under EPSDT.

- Commonwealth Coordinated Care Plus (CCC Plus) Waiver services - Individuals who meet the criteria for a nursing facility level of care can be authorized to receive adult day health care, personal care (agency directed or consumer directed) services, Respite Care and Skilled Respite Care services, Personal Emergency Response

System (PERS), Services Facilitation services, Transition Coordination, and Transition services

- Emergency hospital services
- Emergency services for aliens
- Enteral nutrition (EN) - Coverage is limited to circumstances in which the nutritional supplement is the sole source of nutrition except for individuals authorized through the CCC Plus Waiver or through EPSDT, is administered orally or through a nasogastric or gastrostomy tube, and is necessary to treat a medical condition. Coverage of oral administration does NOT include the provision of routine infant formula.
- Extended services for pregnant women, pregnancy-related and postpartum services for 60 days after the pregnancy ends (limitations applicable to all covered services apply to this group as to all other member groups)
- Eye refractions
- Plan First (family planning services) - Medicaid fee-for-service program for men and women who meet the eligibility criteria. Plan First includes coverage of those services necessary to prevent or delay a pregnancy. It shall not include services to

promote pregnancy such as infertility treatments. Family planning does not include counseling about, recommendations for or performance of abortions, or hysterectomies or procedures performed for medical reasons such as removal of intrauterine devices due to infections.

- Federally Qualified Health Center services
- Home and Community-Based Care Waiver services
- Home health services
- Hospice services for individuals certified as terminally ill (defined as having a medical prognosis that life expectancy is six months or less)
- Family and Individual Support Waiver
- Gender dysphoria treatment services
- Inpatient care hospital services
- Inpatient Psychiatric Hospital Services for Individuals under 21 years of age (medically needy are not covered)
- Intensive rehabilitation services
- Intermediate care facility – Individuals with Intellectual Disabilities Services (medically needy members are not covered)

- Laboratory and radiograph services
  
- Legend and Non-legend drugs are covered with some limitations or exclusions. (See the Pharmacy Manual for specific limitations and requirements)
  
- Mental health, with limitations, covered under mental health and intellectual disability community services listed below:
  - Mental Health:
    - Crisis stabilization
    - Mental health support
    - Assertive community treatment
    - Intensive in-home services for children and adolescents
    - Therapeutic day treatment for children and adolescents
    - Partial hospitalization Program
    - Intensive Outpatient Program
    - Psychosocial rehabilitation
    - Crisis intervention
    - Case management
  
  - Substance Use Disorder:
    - Residential treatment for pregnant and postpartum women
    - Day treatment for pregnant and postpartum women
    - Crisis Intervention
    - Intensive Outpatient
    - Day Treatment
    - Case Management
    - Opioid Treatment

- Outpatient Treatment
- Community Living Waiver:
  - Nurse-midwife services
  - Nursing facility services
- Occupational therapy
- “Organ and disease” panel test procedures for blood chemistry tests
- Optometry services
- Outpatient hospital services
- Over-the-counter alternatives to certain classes of legend drugs. Upon a doctor’s prescription or order, a pharmacy may provide and Medicaid will cover a drug that no longer requires a prescription to dispense. See the Pharmacy Manual for specific limitations and requirements.
- Papanicolaou smear (Pap) test
- Payment of deductible and coinsurance up to the Medicaid limit less any applicable payments for health care benefits paid in part by Title XVIII (Medicare) for services covered by Medicaid.
- Physician services

- Podiatry services
- Prostate specific antigen (PSA) test (1998)
- Prostheses limited to artificial arms, legs, and the items necessary for attaching the prostheses, which must be pre-authorized by the DMAS central office. Also breast prostheses for any medically necessary reason and ocular prostheses for reason for loss of eyeball regardless of age of the member or the cause of the loss of the eyeball.
- Psychiatric Hospitals for the Aged (65 Years and Older)
- Psychological testing for persons with intellectual disability as part of the evaluation prior to admission to a nursing facility (January 1, 1989)
- Reconstructive surgery - post-mastectomy (1998)
- Rehabilitation services (physical therapy - effective 1969; other rehabilitation services - effective 1986)
- Renal dialysis clinic services
- Routine preventive medical and dental exams and immunizations, sensory and developmental screenings and immunizations are covered for all eligible members under the age of 21
- Routine preventive and wellness services, including annual wellness exams, immunizations, smoking cessation, and nutritional counseling services for the MAGI

Adult (Medicaid Expansion) covered group.

- Rural Health Clinic services
- School-based services
- Services for individuals age 65 and older in institutions for mental diseases
- Specialized nursing facility services
- Speech-language therapy services
- CCC Plus Waiver services - For children and adults who are chronically ill or severely impaired, needing both a medical device to compensate for the loss of a vital body function and require substantial and ongoing skilled nursing care to avert further disability or to sustain their lives. Authorized services include Private Duty Nursing, Private Duty Respite Care services, Personal Care (Adults Only), Assistive Technology, Environmental Modifications and Transition services.
- Telemedicine for selected services.
- Tobacco Cessation screening, counseling and pharmacotherapies.
- Transplant services: kidney and corneal transplants, heart, lung, and liver transplants, without age limits; under EPSDT, liver, heart, lung, small bowel and bone marrow transplants and any other medically necessary transplant procedures that are not experimental or investigational, limited to persons under 21 years of age. Coverage of bone marrow transplants for individuals over 21 years of age is

allowed for a diagnosis of lymphoma or breast cancer, leukemia, or myeloma.

- Transportation services related to medical care
- Treatment Foster Care Case Management

### General Exclusions

Payment cannot be made under the Medicaid Program for certain items and services, and Virginia Medicaid will not reimburse providers for these non-covered services. Members have been advised that they may be responsible for payment to providers for non-covered services. Prior to the provision of the service, the provider must advise the member that he or she may be billed for the non-covered service. The provider may not bill the member for missed or broken appointments, which includes transportation services arranged by the member who is not at the pickup point or declines to get into the vehicle when the provider arrives.

Examples of such non-covered services are as follows:

- Abortions, except when the life or health of the mother is substantially endangered
- Acupuncture
- Artificial insemination or in vitro fertilization
- Autopsy examinations
- Cosmetic surgery

- Courtesy calls - visits in which no identifiable medical service was rendered
- Custodial care
- DESI drugs (drugs considered to be less than effective by the Food and Drug Administration)
- Domestic services (except for those approved as part of personal care services or homemaker services under BabyCare or EPSDT)
- Experimental medical or surgical procedures
- Eyeglass services for members age 21 and over
- Fertility Services - Services to promote fertility are not covered. However, if there is a disease of the reproductive system that requires treatment to maintain overall health, the medical procedure will be covered
- Free services - Services provided free to the general public cannot be billed to Medicaid; this exclusion does not apply where items and services are furnished to an indigent individual without charge because of his or her inability to pay, provided the provider, physician, or supplier bills other patients to the extent that they are able to pay
- Items or services covered under a workers' compensation law or other payment sources
- Meals-on-Wheels or similar food service arrangements and domestic housekeeping

services which are unrelated to patient care

- Medical care provided by mail or telephone (not including telemedicine)
- Medical care provided in freestanding psychiatric hospitals except through EPSDT and SUD waiver, or for individuals aged 65 and over
- Personal comfort items
- Physician hospital services for non-covered hospital stays
- Private duty nursing services - Other than for children under an appropriate waiver or EPSDT and adults under the appropriate waiver
- Procedures prohibited by State or federal statute or regulations
- Prostheses (other than limbs, and the items necessary for attaching them, and breast prostheses)
- Psychological testing done for purposes of educational diagnosis or school admission or placement
- Routine foot care
- Screening services: Exceptions: Pap smears, mammograms, and PSA tests consistent with the guidelines published by the American Cancer Society.

- Services determined not to be reasonable and/or medically necessary
- Services to persons age 21 to 65 in mental hospitals
- Sterilizations when the patient is under age 21 or legally incompetent
- Supplies and equipment for personal comfort, such as adult diapers except when provided as durable medical equipment, "Lifecall" systems (except under the EDCD, DD, and Intellectual Disability Waivers), and air cleaners
- Unkept or broken appointments
- Unoccupied nursing facility beds except for therapeutic leave days for nursing facility patients
- Weight loss programs

## **MEMBER COPAYS**

COPAYS ARE THE SAME FOR CATEGORICALLY NEEDY MEMBERS, QUALIFIED MEDICARE BENEFICIARIES (QMBS), AND MEDICALLY NEEDY MEMBERS. COPAYS AND THEIR AMOUNTS ARE EXPLAINED IN CHAPTER III OF THIS MANUAL.

## **Managed Care Programs**

Coverage for the vast majority of Medicaid enrolled individuals is provided through one of the DMAS managed care programs, Medallion 4.0 or Commonwealth Coordinated Care Plus (CCC Plus). Medallion 4.0 and CCC Plus programs contract with the same six managed care organizations (MCOs), and all MCOs offer coverage statewide. In addition, both CCC Plus and Medallion 4.0 provide services that help keep people healthy as well as services that focus on improving health outcomes. For more information on the current health plans, please visit [www.dmas.virginia.gov](http://www.dmas.virginia.gov).

Medallion 4.0 serves as the delivery system for children, pregnant women, and individuals in

the MAGI Adult Group who are not determined to be “medically complex.” CCC Plus provides a higher acuity of care coordination services and serves as the delivery system that provides coverage for individuals who are aged, blind or disabled, or who are dually eligible for Medicare and Medicaid, or who receive long-term services and supports, or individuals in the MAGI adult group determined to be “medically complex.” “Medically complex” is defined as individuals who have complex medical and/or behavioral health condition and a functional impairment, or an intellectual or developmental disability.

Individuals awaiting managed care enrollment will receive coverage through the DMAS fee-for-service program for a brief period (approximately 15-45 days) until they are enrolled in managed care. Additionally, some services for managed care enrolled individuals are covered through fee-for-service; these are referred to as managed care carved-out services. Detailed information about managed care-excluded populations and carved out services for Medallion 4.0 and CCC Plus is available on the DMAS website at <http://www.dmas.virginia.gov>, under Managed Care Benefits.

Once enrolled in managed care, members have up to 90 days to change their plan for any reason. Members also have the ability to change their plan during their annual open enrollment period. Open enrollment varies by population and program. For the MAGI Adult (expansion) population, open enrollment is from November 1 through December 31 each year. For CCC Plus, open enrollment is from October 1 through December 18 each year. For Medallion 4.0 open enrollment varies by program region. (See Managed Care Enrollment Broker section below for additional information.)

### Managed Care Enrollment Broker (Maximus)

DMAS contracts with an enrollment broker, Maximus, which provides information to help Medallion and CCC Plus members select or change health plans. Members can find out which health plans contract with their primary care provider (PCP) or other provider. Providers should also let their members know which Medicaid health plans they accept. Members may use the following Maximus contact information for the Medallion 4.0 and CCC Plus managed care programs.

- **Medallion 4.0**

Maximus has designed a mobile app for managed care enrollment for the Medallion 4.0 program. The app is available to download in the Apple App Store and Google Play for both iPhone and Android users.

To get the free mobile app, search for Virginia Managed Care on the Apple App Store

or Google Play and download. After downloading the app, members will log in using a two-step identification process, Medicaid ID, and social security number, or social security number and date of birth; non-members can log-in as guests.

Similar to the website, the main capabilities of the app allow members to view their profile, compare health plans, enroll in a health plan, change health plans, and search for providers and health plan information. For more information, members can also visit the Medallion 4.0 enrollment website at: <https://virginiamanagedcare.com/> or call 1-800-643-2273 or TTY: 1-800-817-6608.

- **CCC Plus**

Members can visit the enrollment website for the CCC Plus managed care program at <https://cccplusva.com/> to view the health plan comparison chart and to choose or change their health plan. Members can also call the CCC Plus Helpline at 1-834374-9159 or TTY 1-800-817-6608 for more information.

#### MCO Provider Reimbursement

In order to be reimbursed for services provided to a managed care enrolled individual, providers must follow their respective contract with the managed care plan. The managed care plan may utilize different prior authorization, billing, and reimbursement guidelines than those described for Medicaid fee-for service individuals. For more information, please contact the individual 's managed care plan directly. Providers interested in contracting with the plans should also contact the MCO directly. MCO contact information for contracting and credentialing is available on the DMAS website:

- **Medallion 4.0** The managed care helpline for the Medallion program is 800-6432273 and the web address is <https://www.virginiamanagedcare.com/>
- **CCC Plus** (<http://www.dmas.virginia.gov/#/cccplusinformation> See “Medical Provider Update October 2017”)

DMAS reimburses the health plans a monthly capitated fee for each member. These fees are preset, and are determined by demographics such as patient’s age, sex, program designation, and locality of residence. Each MCO is responsible for developing its own network of providers and for ensuring that its delivery system has an adequate number of facilities, locations, and personnel available and accessible to provide covered services for its members. Providers who contract with a MCO must meet the MCO’s contracting requirements.

Medicaid-contracted MCOs must provide all the services covered by Medicaid, at least within an equal, amount, duration, and scope as Medicaid, except for certain “carved-out services.” “Carved-out” means that the client remains enrolled in the MCO plan but the carved-out services are covered and reimbursed by DMAS within DMAS program guidelines. **DMAS will NOT provide reimbursement for services provided to MCO enrolled members EXCEPT for those services carved-out specifically from the MCO contracts.** Carved-out services vary by program and are listed in the CCC Plus and Medallion 4.0 Contracts, available on the DMAS Website, in the Managed Care Benefits section. The member must present his or her Medicaid plastic ID card when receiving carved-out services.

### Eligibility and MCO Enrollment Verification

Medicaid eligibility and managed care enrollment coverage must be verified before treatment is provided. Medallion and CCC Plus members will have a MCO identification card and a Medicaid card. Medallion and CCC Plus MCO providers must adhere to their contract with the MCO regarding referrals, prior authorization, and billing requirements. Service authorization from the member’s MCO is required for any out-of-network services, *except for emergency and family planning services*. The provider is responsible for ensuring that proper referrals and service authorizations are obtained. If the MCO denies authorization for a service, the member may exercise his right to appeal to the MCO. Members can also appeal to DMAS after first exhausting the MCO’s appeal process. A provider may bill a member only when the provider has provided advanced written notice to the member, prior to rendering services that their MCO/Medicaid will not pay for the service. The notice must also share that the provider is accepting the member as a private pay patient, not as a Medicaid patient and the services being provided are the financial responsibility of the patient. Failure to confirm Medicaid eligibility and MCO coverage can result in a denial of payment.

To verify eligibility, call the MCO’s enrollment verification system or the DMAS MediCall line at 1-800-772-9996 or 1-800-884-9730 (outside of Richmond), or (804) 965-9732 or (804) 965-9733 for Richmond and the surrounding counties. Eligibility information is also available using the web-based Automated Response System (ARS). When using the DMAS MediCall line or the ARS system, MCO information, if applicable, follows Medicaid eligibility information.

## Continuity of Care

The Department attempts to make the transition between fee-for-service Medicaid and the MCO seamless whenever possible. As a result there is a process to ensure that the Medicaid information and authorization information is transferred and honored. In order to assure continuity of care for members enrolled in MCOs, the following procedures are used:

- The Member's MCO shall assume responsibility for all managed care contract covered services authorized by either the Department or a previous MCO, which are rendered after the MCO enrollment effective date, in the absence of a written agreement otherwise. For on-going services, such as home health, outpatient mental health, and outpatient rehabilitation therapies, etc., the member's MCO shall continue authorized services without interruption until the Contractor completes its utilization review process to determine medical necessity of continued services or to transition services to a network provider;
- DMAS shall assume responsibility for all covered services authorized by the member's previous MCO which are rendered after the effective date of dis-enrollment to the fee-for-service system, if the member otherwise remains eligible for the service(s), and if the provider is a Medicaid provider;
- If the prior authorized service is an inpatient stay, the claim should be handled as follows:
  - o If the provider contracts with the MCO under a per diem payment methodology, the financial responsibility shall be allocated between the member's current MCO and either DMAS or the new MCO. In the absence of a written agreement otherwise, the member's current MCO and DMAS or the new MCO shall each pay for the period during which the member is enrolled with the entity.
  - o If the provider contracts with the MCO under a DRG payment methodology, the MCO is responsible for the full inpatient hospitalization from admission to discharge, including any outlier charges.
- If services have been authorized using a provider who is out of network, the member's MCO may elect to reauthorize (but not deny) those services using an in-network provider.

## Family Access to Medical Insurance Security (FAMIS) Plan

Section 4901 of the Balanced Budget Act of 1997 (BBA) amended the Social Security Act (the Act) by adding a new title XXI, the State Children's Health Insurance Program (SCHIP). Title XXI provides funds to states to enable them to initiate and expand the

provision of child health assistance to uninsured, low-income children in an effective and efficient manner.

Virginia's Title XXI program is known as FAMIS and is a comprehensive health insurance program for Virginia's children from birth through age 18 who are not covered under other health insurance and whose income is over the Medicaid income limit and under 200 percent of the Federal Poverty Level. FAMIS is administered by DMAS and is funded by the state and federal government.

### FAMIS Covered Services

FAMIS covered services are somewhat different from Medicaid covered services. One of the key differences is that most children enrolled in the FAMIS Program are not eligible for EPSDT treatment services. Children who are eligible for the FAMIS program must enroll with a Managed Care Organization (MCO). Although FAMIS enrollees receive well child visits, they are not eligible for the full EPSDT treatment benefit.

The following services are covered for FAMIS enrollees:

- Abortion only if necessary to save the life of the mother
- Behavioral therapies including, but not limited to, applied behavior analysis;
  - Assistive technology
  - Blood lead testing
- Chiropractic with benefit limitations
- Clinic services (including health center services) and other ambulatory health care services
- Community Mental Health Rehabilitation Services (CMHRS) including:
  - Intensive in-home services
  - Therapeutic day treatment
- Mental health crisis intervention
- Case management for children at risk of (or with) serious emotional disturbance
- Dental services (includes diagnostic, preventive, primary, orthodontic, prosthetic and complex restorative services)
- Durable medical equipment, prosthetic devices, hearing aids, and eyeglasses with certain limitations

- Disposable medical supplies
- Early Intervention services including targeted case management
- Emergency hospital services
- Family planning services, including coverage for prescription drugs and devices approved by the U.S. Food and Drug Administration for use as contraceptives
- Gender dysphoria treatment services
- Home and community-based health care services (includes nursing and personal care services, home health aides, physical therapy, occupational therapy, and speech, hearing, and inhalation therapy)
- Hospice care including care related to the treatment of the child's condition with respect to which a diagnosis of terminal illness has been made
- Inpatient substance abuse treatment services, with the following exceptions: services furnished in a state-operated mental hospital, services furnished in IMDs, or residential services or other 24-hour therapeutically planned structural services
- Inpatient services (365 days per confinement; includes ancillary services)
- Inpatient acute mental health services in general acute care hospital only. Does not include those (a) services furnished in a state-operated mental hospital, (b) services furnished by IMDs, or (c) residential services or other 24-hour therapeutically planned structural services
- Maternity services including routine prenatal care
- Medical formula, enteral/medical foods (sole source, specialized formula - not routine infant formula)
- Nurse practitioner services, nurse midwife services, and private duty nursing services are covered. Skilled nursing services provided for special education students are covered with limitations
- Organ transplantation
- Outpatient mental health services, other than services furnished in a state-operated mental hospital
- Outpatient substance abuse treatment services, other than services furnished in a state-operated mental hospital. These include intensive outpatient, partial hospitalization, medication assisted treatment, case management, and peer support services
- Outpatient services, including emergency services, surgical services, clinical services, and professional provider services in a physician's office or outpatient hospital department
- Outpatient diagnostic tests, X-rays, and laboratory services covered in a physician's office, hospital, independent and clinical reference lab (including mammograms);
- Prescription drugs (mandatory generic program) and over-the-counter (optional for managed care)
- Peer support services
- Physician services, including services while admitted in the hospital, or in a

physician's office, or outpatient hospital department

- Physical therapy, occupational therapy, and services for individuals with speech, hearing, and language disorders
- School based health services
- Skilled nursing facility
- Surgical services
- Transportation - professional ambulance services only to medically necessary covered services (fee-for-service members have routine access to and from providers of covered medical services)
- Vision services
- Well-child care, including visits, laboratory services as recommended by the American Academy of Pediatrics Advisory Committee, and any immunizations as recommended by the Advisory Committee on Immunization Practice (ACIP)

### Member Copays

FAMIS does not have yearly or monthly premiums. However, children who are enrolled in a MCO must pay co-payments for some covered services. There are no co-payments required for preventative services such as well-child care, immunizations, or dental care. The chart below shows the co-payment amounts for some basic FAMIS services for children who are enrolled in a MCO, based on co-pay status.

NOTE: Native Americans and Alaskan Natives do NOT have any co-payments.

<b>SERVICE*</b>	<b>Co-pay Status 1</b>	<b>Co-pay Status 2</b>
Outpatient Hospital or Doctor	\$2 per visit	\$5 per visit
Prescription Drugs	\$2 per prescription	\$5 per prescription
Inpatient Hospital	\$15 per admission	\$25 per admission
Non-emergency use of Emergency Room	\$10 per visit	\$25 per visit
Yearly Co-payment Limit per Family	\$180	\$350

\*Other co-payments may apply to other services.

### **EMERGENCY MEDICAID SERVICES FOR ALIENS**

Section 1903v of the Social Security Act (42 U.S.C. 1396b) requires Medicaid to cover emergency services for specified aliens when these services are provided in a hospital emergency room or inpatient hospital setting. (See Chapter III for details on eligibility.)

The medical conditions subject to this coverage may include, but are not limited to, the following:

- Cerebral vascular attacks
- Traumatic injuries
- Childbirth
- Acute coronary difficulties
- Emergency surgeries (i.e., appendectomies)
- Episodes of acute pain (etiology unknown)
- Acute infectious processes requiring intravenous antibiotics
- Fractures

To be covered, the services must meet emergency treatment criteria and are limited to:

- Emergency room care
- Physician services
- Inpatient hospitalization not to exceed limits established for other Medicaid members
- Ambulance service to the emergency room or hospital
- Inpatient and outpatient pharmacy services related to the emergency treatment

Hospital outpatient follow-up visits or physician office visits related to the emergency care are not included in the covered services.

### **Client Medical Management (CMM)**

The Client Medical Management Program (CMM) for members and providers is a utilization control and case management program designed to promote proper medical management of essential health care and, at the same time, promote cost efficiency. The basis for CMM member and provider restriction procedures is established through federal regulations in 42 CFR 431.54(e-f) and state regulations as set forth in 12 VAC 30-130-800 through 12 VAC

30-130-820. (See the “Exhibits” section at the end of this chapter for detailed information on the CMM Program.)

Providers may refer Medicaid patients suspected of inappropriately using or abusing

Medicaid services to DMAS's Recipient Monitoring Unit. Referred members will be reviewed by DMAS staff to determine if the utilization meets regulatory criteria for restriction to a primary physician and/or pharmacy in the Client Medical Management Program.

Referrals may be made by telephone or in writing. The number for the Recipient Monitoring Unit is (804) 786-6548 or toll-free (888) 323-0589. Referrals can also be faxed to (804) 3718891. Office hours are 8:15 a.m. - 5:00 p.m., Monday through Friday except state holidays. Voice mail receives after-hours referrals.

Written referrals should be mailed to:

Lead Analyst, Recipient Monitoring Unit  
Division of Program Integrity  
Department of Medical Assistance Services  
600 East Broad Street, Suite 1300  
Richmond, Virginia 23219

When making a referral, provide the member's name and Medicaid number and a brief statement regarding the nature of the utilization problems. Copies of pertinent documentation, such as emergency records, would be helpful when making written referrals. For a telephone referral, the provider should give his or her name and telephone number in case DMAS has questions regarding the referral.

## **Sources of Information**

### MediCall Automated Voice Response System

Toll-free numbers are available 24-hours-per-day, seven days a week, to confirm member

eligibility status, claim status and check status. The numbers are:

1-800-772-9996	Toll-free throughout the United States
1-800-884-9730	Toll-free throughout the United States
(804) 965-9732	Richmond and Surrounding Counties
(804) 965-9733	Richmond and Surrounding Counties

Providers access the system using their Virginia Medicaid provider number as identification. Specific instructions on the use of the verification systems are included in “Exhibits” at the end of this chapter.

#### Automated Response System (ARS)

Providers may use the Internet to verify member eligibility and perform other inquiry functions. Inquiries can be submitted in real-time. Specific instructions on the use of the ARS are included in “Exhibits” at the end of this chapter.

#### HELPLINE

A toll-free "HELPLINE" is available to assist providers in interpreting Medicaid policy and procedures and in resolving problems with individual claims. The HELPLINE numbers are:

- (804)786-6273 Richmond Area & out-of-state long distance
- 1-800-552-8627 In-state long distance (toll free)

The HELPLINE is available Monday through Friday from 8:00 a.m. to 5:00 p.m., except on holidays.

The Virginia Medicaid provider number must accompany all provider inquiries (both written and via the HELPLINE). All provider information and data are filed by provider number. This number will expedite recovery of the requested information.

**Do not use these HELPLINE numbers for member eligibility verification and eligibility questions.** Local departments of social services are responsible for supplying information to members, and members who have questions about the Medicaid Program should be directed to their local departments of social services. If MediCall is not available, the data will also be unavailable to the HELPLINE (when the system is down).

The Medicaid HELPLINE and MediCall numbers are for provider use only and should not be given to members.

## **ELECTRONIC FILING REQUIREMENTS**

The Virginia MMIS is HIPAA-compliant and, therefore, supports all electronic filing requirements and code sets mandated by the legislation.

The Virginia MMIS will accommodate the following Electronic Data Interchange (EDI) transactions according to the specifications published in the ASC X12 Implementation Guides version 4010A1.

- 837P for submission of professional claims
- 837I for submission of institutional claims
- 837D for submission of dental claims
- 276 & 277 for claims status inquiry and response
- 835 for remittance advice information for adjudicated (paid and denied) □ 270 & 271 for eligibility inquiry and response
- 278 for prior authorization request and response.

Although not mandated by HIPAA, DMAS has opted to produce an unsolicited 277 transaction to report information on pending claims.

If you are interested in receiving more information about utilizing any of the above electronic transactions, your office or vendor can obtain the necessary information at our fiscal agent's website: <https://www.virginiamedicaid.dmas.virginia.gov/wps/portal>.

## **Provider Manual Updates**

This manual is designed to accommodate new pages as further interpretations of the law and changes in policy and procedures are made. Accordingly, revised pages or sections will be issued by the Department of Medical Assistance Services (DMAS) as needed.

## **Notice of Provider Responsibility**

The provider is responsible for reading and adhering to the policies and regulations explained in this manual and for ensuring that all employees do likewise. The provider also certifies by his or her personal signature or the signature of an authorized agent on each invoice that all information provided to the Department of Medical Assistance Services is true, accurate, and complete. Satisfaction and payment of any claim will be from federal and State funds, and any provider who submits false claims, statements, or documents may be prosecuted under applicable federal or State laws.

## **THE VIRGINIA MEDICAL ASSISTANCE MEDICALL SYSTEM**

### **GENERAL INFORMATION**

The Virginia Medical Assistance MediCall System offers Medicaid providers twenty-four hour-a-day, seven-day-a-week access to current member eligibility information, check status, claims status, prior authorization information, service limit information, pharmacy prescriber identification number cross reference, and information to access member eligibility and provider payment verification via the Internet. MediCall is an enhancement to the previous Medicaid Audio Verification Response System (AVRS).

Not only does MediCall offer providers flexibility in choosing the time of day for their inquiries, but it also makes efficient use of staff time. A valid provider number and a touchtone telephone are required to access MediCall.

To reach an operator while using the member eligibility verification feature of MediCall, key "0" at any prompt within the Member Eligibility menu. Operator assisted calls are limited to three name searches per call. The operator will not be able to return the caller to MediCall for further inquiries. Operators are available from 8:30 a.m. to 4:30 p.m. Eastern time, Monday through Friday except for state holidays.

MediCall prompts the caller throughout the inquiry, giving and receiving only essential,



pertinent information. The data provided is the most up-to-date information available, direct from the Medicaid eligibility, claims and remittance databases. If the caller waits too long to respond to a system prompt, the call will be disconnected.

System downtime will be scheduled during non-peak hours. If the caller dials MediCall during this time, the caller will be informed that the system is unavailable. System downtime is typically scheduled for:

2:00 a.m. to 4:00 a.m. Daily                      2:00 a.m. to 6:30  
a.m. Thursday  
  
10:00 p.m. Saturday to 6:00 a.m. Sunday

The telephone numbers are:

1-800-772-9996	Toll-free throughout the United States
1-800-884-9730	Toll-free throughout the United States
(804) 965-9732	Richmond and Surrounding Counties
(804) 965-9733	Richmond and Surrounding Counties

If you have any questions regarding the use of MediCall, contact the Medicaid Provider "HELPLINE." The HELPLINE is available Monday through Friday from 8:30 a.m. to 4:30 p.m., except State holidays, to answer questions. The HELPLINE numbers are:

1-804-786-6273 Richmond Area and out of state long distance  
In state long distance (toll-free) 1-800-552-8627

## **HOW TO USE THE SYSTEM**

To access MediCall, the provider must have a currently active Medicaid provider number. The provider's number is verified before access to MediCall is authorized.

Responses by the caller to MediCall are required within a specified period of time. If the time limit is exceeded, the call will be disconnected. The caller should have the following information available before calling:

- 10 digit National Provider Identifier (NPI) or Atypical Provider Identifier (API)
- Member Medicaid Number (12 digits) or Social Security Number (9 digits) **and**  
Date of Birth (8 digits) in month, day, century and year format (mmddyyyy)  
(necessary for member eligibility verification and claims status)
- From and Thru Date(s) of Service in month, day, century and year format (mmddyyyy) (necessary for member eligibility verification and claims status). The caller will have the following limits when entering dates of service:
  - The caller does not have to enter a **Thru** date of service if services were rendered on a single day. Pressing the # key prompts the system to continue.
  - Future month information is only available in the last week of the current month.
  - Inquiries cannot be on dates of service more than one year prior to the date of inquiry.

After dialing the MediCall number, the system will ask for the NPI or API. Enter the 10 digit number and select from the following options:

- Press "1" for member eligibility verification.

- Press “2” for claims status.
- Press “3” for recent check amounts.
- Press “4” for service authorization information.
- Press “5” for service limit information.

### **MEMBER ELIGIBILITY VERIFICATION**

Enter the From and Thru dates of service. **The service dates for member eligibility verification cannot span more than 31 days.** When the dates of service have been entered, MediCall will verify the information and respond by speaking the first six letters of the last name and the member's Medicaid number for confirmation.

Remain on the line to obtain important member information that might affect payment, such as:

- Special Indicator Codes (Copayment)
- Client Medical Management Information Including Pharmacy/Physician Telephone Number
- Medicare Eligibility
- Other Insurance Coverage

- Special Coverage (QMB, QMB--Extended)
- "MEDALLION" Participation (prior to July, 2012)
- Managed Care Organization provider name and assignment dates

At this point, MediCall will prompt the caller for the next action. The caller may ask for additional dates of service on this member, or may inquire on another member.

The caller may check up to **three** dates of service for each member and inquire on up to **three** members per call.

If the caller is using a Social Security Number instead of the member ID number, the dates of service will relate to the first member ID reported. If multiple open records exist for the same Social Security Number, you will be advised to contact the local department of social services. You will be given a 3-digit city/county code of the appropriate agency and a 5-digit caseworker code. A cross-reference list of the city/county codes is provided as an exhibit to this chapter.

The caller will receive a "not eligible" response if the future dates about which he or she inquires are beyond the information on file.

A response, "not eligible," will be given if the member is not eligible for all days within the time span entered.

## **PROVIDER CHECK LOG**

The most recent check information is presented by invoice type. This inquiry permits the provider to receive check dates and amounts from the most recent three remittances.

## CLAIMS STATUS

For claims status information, the MediCall system will prompt the provider to choose the among the following invoice types (additional information in italics).

- For inpatient care, press 01.
- For long-term care, press 02.
- For outpatient hospital, home health or rehabilitation services, press 03.
- For personal care, press 04.
- For practitioner (physician CMS-1500 billing), press 05.
- For pharmacy, press 06.
- For independent labs (outpatient lab services), press 08.
- For Medicare crossover, press 09.
- For dental, press 11.
- For transportation, press 13.

**For claims status, the From date cannot be more than 365 days in the past. The Thru date cannot be more than 31 days later than the From date.** After keying the member identification number and the From and Thru date(s) of service, MediCall will provide the status of each claim up to and including five claims. MediCall will prompt for any additional claims or return to the main menu.

## **SERVICE AUTHORIZATION INFORMATION**

**The From and Thru dates for prior authorization cannot span more than 365 days.** When the 12-digit member ID number and the 8-digit from and through dates of service have been entered, you will be prompted to enter the 11-digit prior authorization number, if known. If you do not know the prior authorization number, then press the pound (#) key. MediCall will verify prior authorization data on file. The system will prompt you to return additional prior authorization data for the same member and dates, enter new dates for the same member, another prior authorization number for the same member or to enter another member ID number to begin a new inquiry.

## **SERVICE LIMITS INFORMATION**

Service limits can be obtained by service type or procedure code:

- For occupational therapy, press 1. □ For physical therapy, press 2 □ For speech therapy, press 3.
- For home health aide, press 4.
- For home health skilled nursing, press 5.
- For DME purchases, press 6 and for DME rentals, press 7.

For occupational therapy, speech therapy or physical therapy the MediCall system will return non-school based and school based service limits separately.

## **PRESCRIBING PROVIDER ID**

Only enrolled Pharmacy providers can access this choice. When prompted, the caller should enter the license number of the prescriber. MediCall will return the first six letters of the prescriber's last name and Medical Assistance provider number. If the prescriber is not



active in Virginia Medicaid, you will receive a message that the number is not on file.

## The Automated Response System (ARS)

### GENERAL INFORMATION

The Automated Response System (ARS) offers Medicaid and FAMIS providers twenty-four-hour-a-day, seven-day-a week Internet access to current member eligibility information, service limits, claim status, service authorizations, and provider payment history. This weenabled tool helps provide cost-effective care for members, and allows providers to access current information quickly and conveniently.

The ARS can be accessed through the Virginia Medicaid Web portal at [www.virginiamedicaid.dmas.virginia.gov](http://www.virginiamedicaid.dmas.virginia.gov). Please visit the portal for information on registration and use of the ARS.

### CITY/COUNTY CODES

(The Three-Digit Numerical Identifier of the Local Social Services/Welfare Agency Currently Handling the Case)

If two or more member records using the same SSN are active on the same date of service, inquirers are prompted to contact the Social Services agency for resolution.

### COUNTIES

001 Accomack	049 Cumberland	097 King and Queen
003 Albermarle	051 Dickenson	099 King George
005 Alleghany	053 Dinwiddie	101 King William
007 Amelia	057 Essex	103 Lancaster
009 Amherst	059 Fairfax	105 Lee
011 Appomattox	061 Fauquier	107 Loudoun
013 Arlington	063 Floyd	109 Louisa
015 Augusta	065 Fluvanna	111 Lunenburg
017 Bath	067 Franklin	113 Madison
019 Bedford	069 Frederick	115 Mathews
021 Bland	071 Giles	117 Mecklenburg

023	Botetourt	073	Gloucester	119	Middlesex
025	Brunswick	075	Goochland	121	Montgomery
027	Buchanan	077	Grayson	125	Nelson
029	Buckingham	079	Greene	127	New Kent
031	Campbell	081	Greensville	131	Northampton
033	Caroline	083	Halifax	135	Nottoway
035	Carroll	085	Hanover	137	Orange
037	Charlotte	087	Henrico	139	Page
041	Chesterfield	089	Henry	141	Patrick
043	Clarke	091	Highland	143	Pittsylvania
045	Craig	093	Isle of Wight	145	Powhatan
047	Culpeper	095	James City	147	Prince Edward
149	Prince George	167	Russell	179	Stafford
153	Prince William	169	Scott	181	Surry
155	Pulaski	171	Shenandoah	183	Sussex
157	Rappahannock	173	Smyth	185	Tazewell
159	Richmond	175	Southampton	187	Warren
161	Roanoke	177	Spotsylvania	191	Washington
193	Westmoreland	195	Wise	197	Wythe
199	York				

CITIES

510	Alexandria	620	Franklin	710	Norfolk
515	Bedford	630	Fredericksburg	720	Norton
520	Bristol	640	Galax	730	Petersburg
530	Buena Vista	650	Hampton	735	Poquoson
540	Charlottesville	660	Harrisonburg	740	Portsmouth
550	Chesapeake	670	Hopewell	750	Radford
570	Colonial Heights	678	Lexington	760	Richmond
580	Covington	680	Lynchburg	770	Roanoke
590	Danville	683	Manassas	775	Salem
595	Emporia	685	Manassas Park	780	South Boston
600	Fairfax	690	Martinsville	790	Staunton
610	Falls Church	700	Newport News	800	Suffolk
810	Virginia Beach	820	Waynesboro	830	Williamsburg
840	Winchester				

976 Central  
Processing  
Unit for  
FAMIS

## **STATE MENTAL HEALTH FACILITIES**

- 983 Southern Virginia Mental Health Institute
- 985. Southeastern State Hospital
- 986. Northern Virginia Training Center
- 987. Virginia Treatment Center
- 988. Northern Virginia Mental Health Institute
- 990. Central Virginia Training Center
- 991. Western State Hospital
- 992. Southwestern State Hospital
- 993. Piedmont State Hospital
- 994. Eastern State Hospital
- 996. Hiram Davis Hospital
- 997. Catawba State Hospital

## **CLIENT MEDICAL MANAGEMENT INTRODUCTION**

The Client Medical Management Program (CMM) for members and providers is a utilization control and case management program designed to promote proper medical management of essential health care and, at the same time, promote cost efficiency. The basis for CMM member and provider restriction procedures is established through federal regulations in 42 CFR 456.3 and state regulations as set forth in 12 VAC 30-130-800 through 12 VAC 30130-810.

## **MEMBER RESTRICTION**

### Utilization Review and Case Management

Federal regulations allow states to restrict members to designated providers when the members have utilized services at a frequency or amount that is not medically necessary.

Restricted members are identified and managed by the Recipient Monitoring Unit (RMU) in the Division of Program Integrity.

CMM enrollment is based upon review of the individual member's utilization patterns. All Medicaid members except MCO members and institutionalized long-term care residents are eligible for utilization review by RMU staff. If the member's utilization patterns meet the criteria for enrollment in CMM, the member is notified to select designated primary providers. Examples of inappropriate utilization are:

- Emergency room use for medical problems that could be treated in a physician's office;
- Using more than one physician and/or pharmacy to receive the same or similar medical treatment or prescriptions; and
- A pattern of non-compliance which is inconsistent with sound fiscal or medical practices.

Each CMM member is assigned a case manager in the Recipient Monitoring Unit to assist both members and providers with problems and questions related to CMM. The case manager is available to:

- Resolve case problems related to CMM procedures and provider assignments;
- Counsel the member on the appropriate access to healthcare;
- Approve/deny requests for provider changes; and
- Complete a utilization review prior to the end of the enrollment period to determine if CMM restriction should be extended.

□

### Member Enrollment Procedures

Members identified for CMM enrollment receive a letter explaining the member/provider relationships under medical management. The letter includes the Member/Primary Provider Agreement forms (see the sample forms at the end of this section) with directions for completing and returning the form to the Recipient Monitoring Unit. Members are given thirty (30) days to select their primary providers by obtaining their signatures on the form.

The provider's signature indicates agreement to participate as the CMM provider for the member. DMAS reviews member requests for specific providers for appropriateness and to ensure member accessibility to all required medical services.

Members also have thirty (30) days from the receipt of the restriction notice to appeal enrollment in CMM. Assignment to designated providers is not implemented during the appeal process.

CMM enrollment is for 24 months. Assignment to both a physician and pharmacy is made with few exceptions.

When members do not return choices to the Recipient Monitoring Unit or have difficulty in finding providers, RMU staff will select providers for them. RMU staff contact providers directly to request participation as a CMM provider for the member and follow-up by mailing or faxing the agreement form for the provider's signature.

When completed agreement forms are received, the member is enrolled in CMM effective the first of the next month in which a restricted Medicaid card can be generated. Both members and selected providers are notified by mail of the enrollment date.

Members enrolled in the Client Medical Management can be identified through the process of eligibility verification. A swipe of the Medicaid ID card will return the names and telephone numbers of the primary care physician and designated pharmacy. The dates of assignment to each provider are also included. This information is also available through the MediCall System and the web-based Automated Response System (ARS). Instructions for both resources are provided in this chapter.

Each CMM member also receives an individual Medicaid coverage letter with the name(s) and address of the designated primary health care provider and/or designated pharmacy printed on the front each time there is a change in providers.

### Designated Primary Care Physicians (PCP)

Any physician enrolled in Medicaid as an individual practitioner may serve as a designated primary care physician (PCP) except when:

- The physician's practice is limited to the delivery of emergency room services; or
- The physician has been notified by DMAS that he or she may not serve as a designated provider, covering provider, or referral provider for restricted members.

Federally Qualified Community Health Centers (FQHCs) and Rural Health Clinics (RHCs) may serve as PCPs also. Other provider types such as ambulatory care centers may be established as designated providers as needed but only with the approval of DMAS.

Primary care physicians are responsible for coordinating routine medical care and making referrals to specialists as necessary. The PCP must arrange 24-hour coverage when they are not available and explain to their assigned members all procedures to follow when the office is closed or when there is an urgent or emergency situation.

The provider's *NPI number* is used for billing and referral purposes.

### Designated Pharmacies

Any pharmacy enrolled as a community pharmacy billing on the Pharmacy Claim Form or other acceptable media may serve as a designated pharmacy unless the pharmacy has been notified by DMAS that it may not serve as a designated provider.

Designated pharmacies must monitor the member's drug regimen. The pharmacist should fill prescriptions from the PCP, referred physicians, and emergency prescriptions. Referrals can be confirmed by reviewing the member's copy of the referral form or by contacting the

PCP's office. Close coordination between the PCP and the pharmacist, particularly if a medication problem has been identified, is a very important component of the program.

### Changing Designated CMM Providers

The member or designated provider may initiate a request for a change of a designated provider by contacting the Recipient Monitoring Unit. Designated providers requesting a change must notify the member in addition to contacting RMU. If the designated provider requests the change and the member does not select a new provider by the established deadline, RMU shall select for them.

All changes must be preauthorized by DMAS RMU staff. The member's RMU case manager may contact the provider before making a final decision on the change request to try to resolve questions or issues and avoid unnecessary changes. If DMAS denies a member's request, the member shall be notified in writing and given the right to appeal the decision. Changes are allowed for:

1. Relocation of the member or provider;
2. Inability of the designated provider to meet the routine medical/pharmaceutical needs of the member; or
3. Breakdown of the relationship between the provider and member.

Provider changes can occur any time of the month because the effective date is the date the new provider signs the Member/Primary Provider Agreement form. When a new provider is assigned, RMU mails a letter to the member confirming the effective date of the change. The letter instructs the member *to show the letter with the Medicaid identification card*. Letters go to the affected providers also. All verification inquiries will return the new primary provider from the date it is entered into the computer system.

### **A PCP No Longer in Practice**

If a provider leaves the practice or retires, he or she must notify CMM so that the restricted member can be reassigned to a new PCP.

### Covered Services and Limitations

Under CMM, DMAS will pay for covered outpatient medical and/or pharmaceutical services only when they are provided (1) by the designated providers, (2) by physicians seen on written referral from the PCP, (3) by covering providers linked with the designated provider in a CMM Affiliation Group, or (4) in a medical emergency. A medical emergency means that a delay in obtaining treatment may cause death or serious impairment of the health of the member. Payment for covered outpatient services will be denied in all other instances (unless the covered services are excluded from Client Medical Management Program requirements), and the member may be billed for the services.

All services should be coordinated with the designated provider. The CMM PCP referral does not override Medicaid service limitations. All DMAS requirements for reimbursement, such as pre-authorization, still apply as indicated in each provider manual.

### Physician Services

A Medicaid-enrolled physician who is not the PCP may provide and be paid for outpatient services to these members only:

- In a medical emergency situation in which a delay in the treatment may cause death or result in lasting injury or harm to the member.
- On written referral from the PCP using the Practitioner Referral Form (DMAS-70). This also applies to covering physicians who have not been affiliated with the PCP.

- When they are a part of a CMM provider affiliation group that includes the PCP.
- For other services covered by DMAS which are excluded from the Client Medical Management Program requirements.

### Services Excluded from PCP Referral

These services should be coordinated with the primary health care provider whose name appears on the member's eligibility card, but they are excluded from special billing instructions for the Client Medical Management Program.

Covered services that do not need a referral include:

- Early and Periodic Screening, Diagnosis, and Treatment Program (EPSDT) wellchild exams and screenings (members under age 21);
- Immunizations (member under age 21);
- Family planning services;
- Expanded prenatal services, including prenatal group education, nutrition services, and homemaker services for pregnant women and care coordination for high-risk pregnant women and infants;
- Dental services (members under age 21);

- Services provided under Home and Community-Based Care Waivered Services;
- Hospice services;
- Renal dialysis services;
- Routine vision care services (routine diagnostic exams for members of all ages and eyeglasses for members under age 21). Medical treatment for diseases of the eye and its appendages still requires a written referral;
- Audiology services;
- Podiatry services;
- Prosthetic services;
- MH/ID community rehabilitative services;
- Psychiatric diagnostic and therapeutic services (limited sessions of outpatient treatment);
- Inpatient hospital services;
- Life-threatening medical emergencies; and

- School-based services.

## **CMM Provider Affiliation Groups**

Physician affiliation groups allow covering physicians to see each other's patients without a written referral. CMM affiliations may be set up for physicians within a practice or for the single practitioner who arranges coverage by a physician not sharing office space. Affiliations can be open-ended or for a specified period of time (such as when the PCP is away from the office for days or weeks). CMM affiliations may include physicians, Rural Health Clinics, Federally Qualified Health Clinics (FQHC), and nurse practitioners.

Affiliations are not member-specific. This means that once provider numbers are affiliated, claims will pay for all CMM members who receive services from a member of an affiliation group that includes the member's PCP on the date of service.

The PCP requests affiliation by completing the CMM Provider Affiliation Form (see sample form at the end of this section) and returning it to the Recipient Monitoring Unit (RMU). The form is used to set up a new affiliation group or to update a group. Providers are responsible for notifying DMAS when a new provider joins the group or a provider leaves the group to ensure claims are processed correctly. Contact the Recipient Monitoring Unit at (804) 786-6548 in Richmond, or toll-free at 1-888-323-0589, to request a form.

## **Emergency Room Services**

Outpatient hospital emergency room services for restricted members are limited to reimbursement for medical emergencies. Emergency hospital services means that the threat to the life or health of the member necessitates the use of the most accessible hospital facility available that is equipped to furnish the services. Reimbursement may be conditional upon the review of the emergency-related diagnosis or trauma ICD diagnosis codes and the necessary documentation supporting the need for emergency services. Additional guidelines for payment of medical services provided in the outpatient hospital emergency room setting are listed in Chapter IV "Covered Services" in this manual.

CMM clients must have a written PCP referral in order for non-emergency services provided in the emergency room to be reimbursed at an all-inclusive rate. The PCP must use the Practitioner Referral Form, DMAS-70. Payment will be denied without a referral unless there is a life-threatening emergency. Non-emergency services provided without a PCP referral become non-covered services, and the member is responsible for the full cost of the emergency room visit.

CMM also requires a PCP referral form for:

- Reimbursement to CONSULTING physicians who treat a CMM client in the emergency room setting, and
- Reimbursement for any follow-up outpatient or office consultations resulting from an ER visit.

### **Emergency Pharmacy Services**

Prescriptions may be filled by a non-designated pharmacy only in emergency situations (e.g., insulin or cardiac medications) when the designated pharmacy is closed or the designated pharmacy does not stock or is unable to obtain the drug.

### Provider Reimbursement and Billing Instructions

### **Management Fees**

Each physician, FQHC, or Rural Health Clinic that serves as a CMM primary care provider (PCP) receives a monthly case management fee of \$5.00 for each assigned CMM member. Payment is made through a monthly remittance process. PCPs receive a monthly report listing the CMM members assigned the previous month for whom payment is made.

## **PCP and Designated Pharmacy Providers**

DMAS pays for services rendered to CMM members through the existing fee-for-service methodology. Designated providers (PCP's and pharmacies) bill Medicaid in the usual manner, but non-designated providers who are not affiliated with the CMM provider must follow special billing instructions. Complete instructions for the CMS 1500 (08-05) and UB-04 billing invoices as well as Point-of-Sale (POS) billing can be found in the billing instruction chapter of this manual.

## **Affiliated Providers**

Providers who are affiliated with a designated CMM provider in the Medicaid system bill Medicaid in the usual manner with no special billing instructions. Claims process with a look-up to the CMM Affiliation Groups in the system.

## **Referral Providers**

To receive payment for their services, referral providers authorized by the client's PCP to provide treatment to that client must place the Provider Identification Number of the PCP in Locator 17a (1D qualifier followed by the API number) or 17b (National Provider Identifier number of referring physician - 17B requirement effective 5/23/08) of the CMS-1500 (0805) and attach the Practitioner Referral Form.

## **Physicians Billing Emergency Room Services**

When billing for emergency room services on the CMS-1500, the attending physician bills evaluation and management services with CPT codes 99281-99285 and enters "Y" in Block 24-C. When the PCP has referred the client to the emergency room, place the PCP's NPI number in Block 17b on the CMS -1500 and attach the Practitioner Referral form.

## **Facilities Billing Emergency Room Services with a Referral**

When billing for emergency room services on the on the UB-04 CMS 14-50, place the PCP's provider number in space 78, and attach the Practitioner Referral Form.

## **Non-designated Pharmacy Providers**

When billing on the Pharmacy Claim Form or as a Point-Of-Sale (POS) provider, enter code "03" in the "Level of Service" field to indicate emergency.

## **REFERRALS TO THE CLIENT MEDICAL MANAGEMENT PROGRAM**

DMAS providers may refer Medicaid patients suspected of inappropriate use or abuse of Medicaid services to the Recipient Monitoring Unit (RMU) of the Department of Medical Assistance Services. Referred members will be reviewed by DMAS staff to determine if the utilization meets regulatory criteria for restriction to a primary physician or pharmacy in the Client Medical Management (CMM) Program. See "Exhibits" at the end of Chapter I for detailed information on the CMM Program. If CMM enrollment is not indicated, RMU staff may educate members on the appropriate use of medical services, particularly emergency room services.

Referrals may be made by telephone, FAX, or in writing. A toll-free helpline is available for callers outside the Richmond area. Voice mail receives after-hours referrals. Written referrals should be mailed to:

Lead Analyst, Recipient Monitoring Unit

Division of Program Integrity

Department of Medical Assistance Services

600 East Broad Street, Suite 1300

Richmond, Virginia 23219

Telephone: (804) 786-6548

CMM Helpline: 1-888-323-0589

When making a referral, provide the name and Medicaid number of the member and a brief statement about the nature of the utilization problems. Copies of pertinent documentation, such as emergency room records, are helpful when making written referrals. For a telephone referral, the provider should give his or her name and telephone number in case DMAS has questions regarding the referral.

## **PROVIDER RESTRICTION**

Restricted providers are identified and managed by the DMAS Provider Review Unit. States may restrict providers from participation in the Medicaid Program when the provider has provided items or services at a frequency or amount not medically necessary or has provided items or services of a quality that does not meet professionally recognized standards of health care. State regulations allow DMAS to restrict providers' participation as designated providers, referral providers, or covering providers for CMM restricted members when a provider has billed services at a frequency or level exceeding that which is medically necessary or when a provider's license to practice has been revoked or suspended in Virginia by the appropriate licensing board.

Provider restriction is for 24 months. Providers may appeal any proposed restriction in accordance with the *Code of Virginia*, Section 2.2-4000 et seq., as discussed in the chapter containing utilization review and control information in this manual. Restriction is not implemented pending the result of a timely appeal request.

## **Provider Participation Requirements**

Updated: 1/19/2022

### **Managed Care Enrolled Members**

Most individuals enrolled in the Medicaid program for Medicaid and FAMIS have their services furnished through DMAS contracted Managed Care Organizations (MCOs) and their network of providers. All providers must check eligibility (Refer to Chapter 3) prior to rendering services to confirm which MCO the individual is enrolled. The MCO may require a referral or prior authorization

for the member to receive services. All providers are responsible for adhering to this manual, their provider contract with the MCOs, and state and federal regulations.

Even if the individual is enrolled with an MCO, some of the services may continue to be covered by Medicaid Fee-for-Service. Providers must follow the Fee-for-Service rules in these instances where services are “carved out.” The carved-out services vary by managed care program. For example, where one program (Medallion 3.0) carves out Early Intervention, the CCC Plus program has this service as the responsibility of the MCO. Refer to each program’s website for detailed information and the latest updates.

There are several different managed care programs (Medallion 3.0, Commonwealth Coordinated Care (CCC), Commonwealth Coordinated Care Plus (CCC Plus), and Program of All-Inclusive Care for the Elderly (PACE) for Medicaid individuals. DMAS has different MCOs participating in these programs. For providers to participate with one of the DMAS-contracted managed care organizations/programs, they must be credentialed by the MCO and contracted in the MCO’s network. The credentialing process can take approximately three (3) months to complete. Go to the websites below to find which MCOs participate in each managed care program in your area:

Ø Medallion 3.0:

[http://www.dmas.virginia.gov/Content\\_pgs/mc-home.aspx](http://www.dmas.virginia.gov/Content_pgs/mc-home.aspx)

Ø Commonwealth Coordinated Care (CCC):

[http://www.dmas.virginia.gov/Content\\_pgs/mmfa-isp.aspx](http://www.dmas.virginia.gov/Content_pgs/mmfa-isp.aspx)

Ø Commonwealth Coordinated Care Plus (CCC Plus):

[http://www.dmas.virginia.gov/Content\\_pgs/mltss-proinfo.aspx](http://www.dmas.virginia.gov/Content_pgs/mltss-proinfo.aspx)

Ø Program of All-Inclusive Care for the Elderly (PACE):

[http://www.dmas.virginia.gov/Content\\_atchs/ltc/WEB%20PAGE%20FOR%20PACE%20Sites%20in%20VA.pdf](http://www.dmas.virginia.gov/Content_atchs/ltc/WEB%20PAGE%20FOR%20PACE%20Sites%20in%20VA.pdf)

At this time, individuals enrolled in the three HCBS waivers that specifically serve individuals with intellectual and developmental disabilities (DD) (the Building Independence (BI) Waiver, the Community Living (CL) Waiver, and the Family and Individual Supports (FIS) Waiver) will be enrolled in CCC Plus for their non-waiver services only; the individual’s DD waiver services will continue to be covered through the Medicaid fee-for-service program.

DMAS offers a web-based Internet option to access information regarding Medicaid or FAMIS member eligibility, MCO enrollment, claims status, payment status, service limits, service authorizations, and electronic copies of remittance advices. Providers must register through the Virginia Medicaid Web Portal in order to access this information. The Virginia Medicaid Web Portal can be accessed by going to: [www.viriniamedicaid.dmas.virginia.gov](http://www.viriniamedicaid.dmas.virginia.gov). If you have any questions regarding the Virginia Medicaid Web Portal, please contact the Conduent Government Healthcare Solutions Support Help desk toll free, at 1-866-352-0496 from 8:00 a.m. to 5:00 p.m. Monday through Friday, except holidays. The MediCall audio response system provides similar information and can be accessed by calling 1-800-884-9730 or 1-800-772-9996. Both options are available at no cost to the provider.

## Participating Provider

A participating provider is a person who has a current, signed participation agreement with the Department of Medical Assistance Services.

## Provider Enrollment

Any provider of services must be enrolled in the Medicaid Program prior to billing for any services provided to Medicaid members. A copy of the provider agreement can be found on the DMAS website at [www.virginiamedicaid.dmas.virginia.gov](http://www.virginiamedicaid.dmas.virginia.gov). The agreement is time-limited and applies to a specific time period. All participants are required to complete new agreement forms when a name change or change of ownership occurs.

**Upon receipt of the above information, the ten-digit National Provider Identifier (NPI) number that was provided with the enrollment application is assigned to each approved provider. This number must be used on all claims and correspondence submitted to Medicaid.**

DMAS is informing the provider community that NPIs may be disclosed to other Healthcare Entities pursuant to CMS guidance. The NPI Final Rule requires covered healthcare providers to disclose their NPIs to any entities that request the NPIs for use of the NPIs in HIPAA standard transactions. DMAS may share your NPI with other healthcare entities for the purpose of conducting healthcare transactions, including but not limited to Referring Provider NPIs and Prescribing Provider NPIs

This manual contains instructions for billing and specific details concerning the Medicaid Program. Providers must comply with all sections of this manual to maintain continuous participation in the Medicaid Program.

## Requests for Enrollment

All providers who wish to participate with Virginia Medicaid are being directed to complete their request via the online enrollment through our Virginia Medicaid web-portal. If a provider is unable to enroll electronically through the web, they can download a paper application from the Virginia Medicaid web-portal and follow the instructions for submission. Please go to [www.virginiamedicaid.dmas.virginia.gov](http://www.virginiamedicaid.dmas.virginia.gov) to access the online enrollment system or to download a paper application.

DMAS strongly encourages providers to enroll or make updates electronically via our web portal. An application for participation submitted on paper will add additional time to the processing of your enrollment and to your request to update your provider file.

**Please note: If you are planning to enroll via the paper enrollment process, DMAS will only accept the provider enrollment applications that have the provider screening questions listed. Previous versions of the provider enrollment applications that do not have the provider screening regulation questions will not be accepted and will be rejected with a request to submit the version that is currently posted on the Virginia Medicaid Web Portal at [www.virginiamedicaid.dmas.virginia.gov](http://www.virginiamedicaid.dmas.virginia.gov).**

If you have any questions regarding the online or paper enrollment process, please contact the Provider Enrollment Services at toll free 1-888-829-5373 or local 1-804-270-5105.

## **Provider Screening Requirements**

All providers must undergo a federally mandated comprehensive screening as part of their enrollment process. An abbreviated screening is also performed on a monthly basis for any provider who participates with the Virginia Medicaid Program. The full screening is conducted at the time of revalidation, and providers are required to revalidate at least every 5 years.

The requirement for screening is in response to directives in the standards established by Section 6401(a) of the Affordable Care Act in which CMS requires all state Medicaid Program agencies to implement the provider enrollment and screening provisions of the Affordable Care Act (42 CFR 455 Subpart E). These regulations were published in the Federal Register, Vol. 76, February 2, 2011, and were effective March 25, 2011. The required screening measures vary based on a federally mandated categorical risk level. Providers' categorical risk levels are defined as "limited", "moderate" or "high".

### **Limited Risk Screening Requirements**

The following screening requirements apply to limited risk providers: (1) Verification that a provider or supplier meets any applicable Federal regulations, or State requirements for the provider or supplier type; (2) Verification that a provider or supplier meets applicable licensure requirements; and (3) Verification that a provider or supplier has not been excluded from providing services in federally funded programs. The verification process includes a review of applicable federal and state databases checks and is completed on a pre- and post-enrollment basis to ensure that providers and suppliers continue to meet the enrollment criteria for their provider/supplier type.

### **Moderate Risk Screening Requirements**

The following screening requirements will apply to moderate risk providers: Unannounced pre-and/or post-enrollment site visits in addition to those screening requirements applicable to the limited risk provider category listed above. The screening requirements listed in this section are to be performed at the time of initial enrollment and at the time of revalidation, which is at least every 5 years.

### **High Risk Screening Requirements**

In addition to those screening requirements applicable to the limited and moderate risk provider categories listed above, providers in the high risk category may be required to undergo criminal background check(s) and submission of fingerprints. These requirements apply to owners, authorized or delegated officials or managing employees of any provider or supplier assigned to the "high" level of screening.

### **Application Fees**

Institutional providers may be required to pay a federally-required fee at the time of application for enrollment, re-enrollment or reactivation. This includes when adding new locations. If a provider is required to pay an application fee, it will be outlined in the provider enrollment application and/or revalidation notice. Please refer to the table at the end of this chapter for more information on provider types that may be charged an application fee.

CMS determines the application fee each year. This fee is not required to be paid to DMAS if the provider has already paid the fee to another state Medicaid program or Medicare, or has been granted a hardship approval by Medicare.

Providers may submit a hardship exception request for CMS approval with their enrollment application. If CMS does not approve the hardship request, then providers have 30 calendar days from the date of the CMS notification to pay the application fee or the application for enrollment will be rejected.

An appeal of a hardship exception determination must be made to CMS pursuant to 42 CFR 424.514.

### **Out-of-State Provider Enrollment Requests**

Providers with a primary servicing address located outside of the Virginia border and, due to their provider risk-level, require a site visit, must have a site visit conducted by either their state's Medicaid program or by CMS prior to enrollment in DMAS. If the application is received by DMAS prior to the completion of the site visit, as required in the screening provisions of the Affordable Care Act (42 CFR 455 Subpart E), the application will be pended for proof this information.

### **Revalidation Requirements**

All providers will be required to revalidate at least every 5 years. The revalidation of all existing providers will take place on an incremental basis and will be completed via our web portal.

Registration into the Virginia Medicaid Web Portal will be required to access and use the online enrollment and revalidation system.

All enrolled providers in the Virginia Medicaid program will be notified in writing of a revalidation date and informed of the new provider screening requirements in the revalidation notice. If a provider is currently enrolled as a Medicare provider, DMAS may rely on the enrollment and screening facilitated by CMS to satisfy our provider screening requirements.

### **Ordering, Referring, and Prescribing (ORP) Providers**

Code of Federal Regulations 42 CFR 455:410(b) states that State Medicaid agencies must require all ordering or referring physicians or other professionals providing services under the State plan or under a waiver of the plan to be enrolled as participating providers.

The ACA requires ordering, referring, and prescribing providers to enroll only to meet new ACA program integrity requirements designed to ensure all orders, prescriptions or referrals for items or services for Medicaid beneficiaries originate from appropriately licensed practitioners who have not been excluded from Medicare or Medicaid. The only exception to this requirement is if a physician is ordering or referring services for a Medicaid beneficiary in a risk-based managed care plan, the provider enrollment requirements are not applicable to that ordering or referring physician.

If a provider does not participate with Virginia Medicaid currently but may order, refer or prescribe to Medicaid members they must now be enrolled to ensure claims will be paid to the servicing provider who is billing for the service.

As a servicing provider, it is essential to include the National Provider Identifier (NPI) of any ORP on all

claims to ensure the timely adjudication of claims.

**Please go to Chapter V of this provider manual to review the new billing procedures related to the implementation of these new screening requirements.**

### **Provider Identification Number (DME)**

Upon receipt of the signed agreement and upon approval and signature by DMAS, the ten-digit National Provider Identifier (NPI) number that was provided with the enrollment application will be assigned as the provider identification number. This number must be used on all billing invoices and correspondence submitted to DMAS. All physical locations must obtain their own separate provider identification number. This number must be used on all claims and correspondence submitted to Medicaid. DMAS will not reimburse the provider for any services rendered prior to the assignment of this provider identification number (ID).

### **Participation Requirements**

Providers approved for participation in the Virginia Medicaid Program must perform the following activities, as well as any other activities specified by DMAS:

- Immediately notify Provider Enrollment Services in writing of any change in the information that the provider previously submitted to DMAS.
- Ensure freedom of choice to individuals who are eligible for medical assistance under the Virginia Medicaid Program (eligible individuals) in seeking medical care from any institution, pharmacy, or practitioner qualified to perform the required service(s) and participating in the Virginia Medicaid Program at the time the service was performed.
- Ensure the eligible individual's freedom to reject medical care and treatment.
- Comply with Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. §§ 2000d through 2000d-4a), which requires that no person be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance on the ground of race, color, or national origin.
- Provide services, goods, and supplies to eligible individuals in full compliance with the requirements of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which states that no otherwise qualified individual with a disability shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The Rehabilitation Act requires reasonable accommodations for certain persons with disabilities.
- Provide services and supplies to eligible individuals in the same mode of delivery and of the same quality and as provided to the general public.
- Charge DMAS for the provision of services and supplies to eligible individuals in amounts not to exceed the provider's usual and customary charges to the general public.
- Accept as payment in full the amount established by DMAS to be reasonable cost or maximum allowable charge. 42 CFR § 447.15 provides that a "State Plan must provide that the Medicaid agency must limit participation in the Medicaid Program to providers who accept, as payment in full, the amount paid by the agency." A provider may not bill an eligible individual for a covered service regardless of whether the provider received

payment from the state. The provider may not seek to collect from an eligible individual, or any financially responsible relative or representative of that individual, any amount that exceeds the established Medicaid allowance for the service rendered. A provider may not charge DMAS or an eligible individual for missed or broken appointments.

- Accept assignment of Medicare benefits for eligible individuals.
- Use DMAS-designated billing forms for submission of charges.
- Maintain and retain business and professional records sufficient to document fully and accurately the nature, scope, and details of the health care provided. In general, such records must be retained for a period of not less than six years from the date of service or as provided by applicable state laws, whichever period is longer. However, if an audit is initiated within the required retention period, the records must be retained until the audit is completed and every exception resolved. (Refer to the section titled "Documentation of Records," page 4.)
- Furnish to authorized state and federal personnel, in the form and manner requested, access to records and facilities.
- Disclose, as requested by DMAS, all financial, beneficial, ownership, equity, surety, or other interests in any and all firms, corporations, partnerships, associations, business enterprises, joint ventures, agencies, institutions, or other legal entities providing any form of health care services to eligible individuals.
- Hold confidential and use for authorized DMAS purposes only all medical assistance information regarding eligible individuals. A provider shall disclose information in his or her possession only when the information is used in conjunction with a claim for health benefits or the data are necessary for the functioning of DMAS. DMAS shall not disclose medical information to the public.

## **Participation Requirements for Equipment and Supplies Related to Ventilators**

A medical equipment and supply provider must meet the following requirements for the provision of any durable medical equipment and supplies related to the care of a ventilator maintained in the home of an individual.

- The provider must employ or contract with a registered or certified respiratory therapist who will be available on a 24-hour-a-day basis for emergency care. The respiratory therapist should be stationed within two (2) hours of the patient's home to facilitate an immediate response.
- The provider must employ or contract with technicians to make regularly scheduled maintenance visits.
- The provider must perform replacement or repair of the equipment and supplies as required.
- The provider must submit a copy of a current business license or a copy of a current license through the Virginia Board of Pharmacy if invasive products are distributed.
- The provider must provide instruction and training to caregivers.

Respiratory therapists must be either certified or registered by the National Board for Respiratory Care (NBRC).

The respiratory therapist must provide a monthly home visit for all individuals receiving equipment and supplies related to the care of the ventilator. This visit must be documented to include all of the following information:

- A respiratory assessment;
- A note of any instructions given to the caregiver;
- The ventilator model identification, settings, and schedule; and
- A note that the equipment has been checked, and the required information has been posted in the home.

### **Requirements of the Section 504 of the Rehabilitation Act**

Section 504 of the Rehabilitation Act of 1973, as amended (29 U. S. C. §794), provides that no disabled individual shall, solely by reason of the disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance. As a condition of participation, all Medicaid providers are responsible for making provision for disabled individuals in their program activities.

As an agent of the federal government in the distribution of funds, DMAS is responsible for monitoring the compliance of individual providers. In the event a discrimination complaint is lodged, DMAS is required to provide the Office of Civil Rights (OCR) with any evidence regarding compliance with these requirements.

### **Documentation of Records (Podiatry)**

The provider agreement requires that medical records fully disclose the extent of services provided to Medicaid recipients. Medical records must clearly document the medical necessity for covered services. This documentation is to be written at the time service is rendered, and be legible and clear in the description of the services rendered.

Pre-existing written protocols with contemporaneous medical record documentation may be considered in addition to the medical record to satisfy the documentation requirements. Sufficient information must be present in the medical record to support the medical necessity for the billed service. The protocol is not acceptable as a replacement for appropriate medical record documentation. A copy of the written protocol must be present in the patient's chart to be considered in any audit.

Specific points to be recorded in the medical records to meet documentation requirements include the following:

- The present complaint.
- A history of the present complaint, past medical history applicable to the complaint, and the family history applicable to the complaint.
- The positive and negative physical examination findings pertinent to the present complaint.
- Diagnostic tests ordered, if any, and the positive and negative results.
- Diagnosis(es).
- Any systemic condition that results in severe circulatory embarrassment or areas of desensitization in the legs or feet which justifies the palliative trimming of toenails or other foot lesions. See Podiatry Manual, Ch. IV, page 10, "Covered Services and Limitations," subsection entitled "NON-COVERED SERVICES AND LIMITATIONS."
- Treatment, if any, including referrals. Any drugs prescribed as part of the treatment must have the quantities and the dosage entered in the medical record.
- The record must indicate the progress at each visit, any change in diagnosis or treatment, and the response to treatment. Progress notes must be written and signed for every office, clinic, or hospital visit billed to Medicaid.
- The record must identify the patient on each page.
- Entries must be signed and dated by the responsible licensed participating provider. The documentation for the care rendered by personnel under the direct, personal supervision of the provider, which is in accordance with Medicaid policy, must be countersigned by the responsible licensed participating provider.

**Examples of medical record documentation:**

Initial Office Visit With Follow-Up (Please note that routine, uncomplicated post-operative care is included in the global surgical procedure and may not be billed separately.)

Jan. 20, 1989 C/O of knuckle on rt. big toe sticking out and pain on walking.  
Referred by family physician.

Gradual onset over 4 months with increasing pain. Unable to wear closed shoe.  
No drug allergies.

No current meds.

No illnesses.

First MTPJ (rt) pain on ROM. Can't stand on ball of foot without pain. X-rays  
show

rt. hallux with phalangeal deformity, displaced met. head.  
Painful hallux valgus deformity rt. foot.

Patient informed of risks of surgery and alternative treatments.  
Schedule for modified Austin bunionectomy rt.

Feb. 20 1989 2 wks. S/P mod. Austin bunionectomy rt.  
Min. swelling around op. site. Incision clean and healing.

Pain controlled with Ibuprofen 200 mg. q4-6 hours

- All billed laboratory services must have documented results. Those laboratory tests listed as quantitative tests by the CPT must be documented by a numerical result. Qualitative tests must be documented as positive or negative. Those laboratory tests requiring descriptive results must be fully documented. Documentation examples are listed below:

**Quantitative:**

Glucose - 85 mg/dl WBC -  
7,000/mm<sup>3</sup>

**Qualitative:**

Antistreptolysin screen - negative

**Descriptive tests:**

Urine microscopic - clear, yellow-brown, few WBC, rare renal epithelial cell  
X-ray (left foot) - no abnormal findings

## **CLARIFICATION OF CURRENT PROCEDURAL TERMINOLOGY DEFINITIONS (Podiatry)**

**Brief Level of Service** - A documented abbreviated system evaluation. A brief office visit may indicate a recheck of a complaint for one system with previous treatment continued or discontinued if the problem is resolved.

**Limited Level of Service** - A documented limited or interval one system evaluation. Tests to support the diagnosis may be ordered with the results documented.

**Intermediate Level of Service** - A documented multiple systems review. One or more conditions may be new complaints or there may be one new complaint with a follow-up for a previously identified condition.

**Extended Level of Service** - History, diagnosis and treatment for two or more systems are documented. There may be new or existing problems. The past medical history as well as history of the present medical complaint is done.

**Comprehensive Level of Service** - A complete history, diagnosis and treatment plan provided are documented. A comprehensive level of service may include a family history, past medical history, a personal history and a history of the chief complaint, or a complete systems review and physical exam.

### **Termination of Provider Participation**

The provider participation agreement is time-limited with periodic renewals required. DMAS will request a renewal of the Participation Agreement prior to its expiration.

A participating provider may terminate participation in Medicaid at any time; however, written notification must be provided to DMAS 30 days prior to the effective date. The address is:

DMAS Provider Enrollment Services

PO Box 26803

Richmond, Virginia 23261-6803

DMAS may terminate a provider from participating upon thirty (30) days written notification prior to the effective date. Such action precludes further payment by DMAS for services provided to

customers subsequent to the date specified in the termination notice.

1.325(D)." DMAS

**In VAC**Section 32.1-325 (D)3 **The**of the Virginia Administrative Code states that the Director of Medical Assistance Services is authorized to:

3. Refuse to enter into or renew an agreement or contract, or elect to terminate an existing agreement or contract, with any provider who has been convicted of or otherwise pled guilty to a felony, or pursuant to Subparts A, B, and C of 42 C.F.R. Part 1002, and upon notice of such action to the provider as required by 42 C.F.R. § 1002.212.

**Appeals of Provider Termination or Enrollment Denial:** A provider has the right to appeal in any case in which a Virginia Medicaid Program provider agreement or contract is terminated or denied pursuant to Virginia Code §32.1-325(D). The provider may appeal the decision in accordance with the Administrative Process Act (Code of Virginia §[2.2-4000](#) et seq.) and the Provider Appeals regulations (Virginia Administrative Code 12 VAC 30-20-500 et seq.). Such a request must be in writing and must be filed with the DMAS Appeals Division **within 15 calendar days** of the receipt of the notice of termination or denial.

## Appeals of Adverse Actions

### Definitions:

**Administrative Dismissal** - means:

- 1) A DMAS provider appeal dismissal that requires only the issuance of an informal appeal decision with appeal rights but does not require the submission of a case summary or any further informal appeal proceedings; or
- 2) The dismissal of a member appeal on various grounds, such as lack of a signed authorized representative form or the lack of a final adverse action from the MCO or other DMAS Contractor.

**Adverse Action** - means the termination, suspension, or reduction in covered benefits or the denial, in whole or in part, of payment for a service.

**Adverse Benefit Determination** - Pursuant to 42 C.F. R. § 438.400, means, in the case of an MCO, any of the following: (i) The denial or limited authorization of a requested service, including determinations based on the type or level of service, requirements for medical necessity, appropriateness, setting, or effectiveness of a covered benefit; (ii) The reduction, suspension, or termination of a previously authorized service; (iii) The denial, in whole or in part, of payment for a service; (iv) The failure to provide services in a timely manner, as defined by the State; (v) The failure of an MCO to act within the timeframes provided in §438.408(b)(1) and (2) regarding the standard resolution of grievances an appeals; (vi) For a resident of a rural area with only one MCO, the denial of a member's request to exercise his or her right, under §438.52(b)(2)(ii), to obtain services outside the network; (vii) The denial of a member's request to dispute a financial liability, including cost sharing,

copayments, premiums, deductibles, coinsurance, and other member financial liabilities. The denial, in whole or in part, of payment for a service solely because the claim does not meet the definition of a “clean claim” at § 447.45(b) is not an adverse benefit determination.

**Appeal** - means:

- 1) A member appeal is:
  - a. For members enrolled in an MCO, in accordance with 42 C.F.R. § 438.400, defined as a request for review of an MCO’s internal appeal decision to uphold the MCO’s adverse benefit determination. For members, an appeal may only be requested after exhaustion of the MCO’s one-step internal appeal process. Member appeals to DMAS will be conducted in accordance with regulations at 42 C.F.R. §§ 431 Subpart E and 12 VAC 30-110-10 through 12 VAC 30-110-370; or
  - b. For members receiving FFS services, defined as a request for review of a DMAS adverse action or DMAS Contractor’s decision to uphold the Contractor’s adverse action. If an internal appeal is required by the DMAS Contractor, an appeal to DMAS may only be requested after the Contractor’s internal appeal process is exhausted. Member appeals to DMAS will be conducted in accordance with regulations at 42 C.F.R. §§ 431 Subpart E and 12 VAC 30-110-10 through 12 VAC 30-110-370; or
- 2) For services that have already been rendered, a provider appeal is:
  - a. A request made by an MCO’s provider (in-network or out-of-network) to review the MCO’s reconsideration decision in accordance with the statutes and regulations governing the Virginia Medicaid appeal process. After a provider exhausts the MCO’s reconsideration process, Virginia Medicaid affords the provider the right to two administrative levels of appeal (informal appeal and formal appeal) in accordance with the Virginia Administrative Process Act at Code of Virginia § 2.2-4000 *et seq.* and Virginia Medicaid’s provider appeal regulations at 12 VAC 30-20-500 *et seq.*; or
  - b. For FFS services, a request made by a provider to review DMAS’ adverse action or the DMAS Contractor’s reconsideration decision in accordance with the statutes and regulations governing the Virginia Medicaid appeal process. If an adverse action requires reconsideration before appealing to DMAS, the provider must exhaust the Contractor’s reconsideration process, after which Virginia Medicaid affords the provider the right to two administrative levels of appeal (informal appeal and formal appeal) in accordance with the Virginia Administrative Process Act at Code of Virginia § 2.2-4000 *et seq.* and Virginia Medicaid’s provider appeal regulations at 12 VAC 30-20-500 *et seq.*

**Internal Appeal** - means a request to the MCO or other DMAS Contractor by a member, a member’s authorized representative or provider, acting on behalf of the member and with the member’s written consent, for review of the MCO’s adverse benefit determination or DMAS Contractor’s adverse action. The internal appeal is the only level of appeal with the MCO or other DMAS Contractor and must be

exhausted by a member or deemed exhausted according to 42 C.F.R. § 438.408(c)(3) before the member may initiate a State fair hearing.

**Reconsideration** – means a provider’s request for review of an adverse action. The MCO’s or DMAS Contractor’s reconsideration decision is a pre-requisite to a provider filing an appeal to the DMAS Appeals Division.

**State Fair Hearing** – means the Department’s *de novo* evidentiary hearing process for member appeals. Any internal appeal decision rendered by the MCO or DMAS Contractor may be appealed by the member to the Department’s Appeals Division. The Department conducts *de novo* evidentiary hearings in accordance with regulations at 42 C.F.R. § 431 Subpart E and 12 VAC 30-110-10 through 12 VAC 30-110-370.

**Transmit** – means to send by means of the United States mail, courier or other hand delivery, facsimile, electronic mail, or electronic submission.

## **MEMBER APPEALS**

Information for providers seeking to represent a member in the member’s appeal of an adverse benefit determination is located in Chapter III.

## **PROVIDER APPEALS**

### **Non-State Operated Provider**

The following procedures will be available to all non-state operated providers when an adverse action is taken that affords appeal rights to providers.

If the provider chooses to exercise available appeal rights, a request for reconsideration must be submitted if the action involves a DMAS claim under the EAPG payment methodology or involves a ClaimCheck denial. The request for reconsideration and all supporting documentation must be submitted within 30 days of the receipt of written notification of the underpayment, overpayment, and/or denial to the attention of the Program Operations Division at the following address:

Program Operations Division

Department of Medical Assistance Services

600 East Broad Street,

Richmond, Virginia 23219

DMAS will review the documentation submitted and issue a written response to the provider’s request for reconsideration. If the adverse decision is upheld, in whole or part, as a result of the reconsideration process, the provider may then appeal that decision to the DMAS Appeals Division, as set forth below.

Internal appeal rights with a managed care organization (“MCO”) must also be exhausted prior to

appealing to DMAS if the individual is enrolled with DMAS through a Virginia Medicaid MCO.

For services that have been rendered and applicable reconsideration or MCO internal appeal rights have been exhausted, providers have the right to appeal adverse actions to DMAS.

Provider appeals to DMAS will be conducted in accordance with the requirements set forth in the Code of Virginia § 2.2-4000 *et. seq.* and the Virginia Administrative Code 12 VAC 30-20-500 *et. seq.*

Provider appeals to DMAS must be submitted in writing and **within 30 calendar days** of the provider's receipt of the DMAS adverse action or final reconsideration/MCO internal appeal decision. However, provider appeals of a termination of the DMAS provider agreement that was based on the provider's conviction of a felony must be appealed **within 15 calendar days** of the provider's receipt of the DMAS adverse action. The provider's notice of informal appeal is considered filed when it is date stamped by the DMAS Appeals Division. The notice must identify the issues from the action being appealed. Failure to file a written notice of informal appeal within the prescribed timeframe will result in an administrative dismissal of the appeal.

The appeal must be filed with the DMAS Appeals Division through one of the following methods:

- Through the Appeals Information Management System ("AIMS") at <https://www.dmas.virginia.gov/appeals/>. From there you can fill out an informal appeal request, submit documentation, and follow the process of your appeal.
- Through mail, email, or fax. You can download a Medicaid Provider Appeal Request form at <https://www.dmas.virginia.gov/appeals/>. You can use that form or a letter to file the informal appeal. The appeal request must identify the issues being appealed. The request can be submitted by:
  - o Mail or delivery to: Appeals Division, Department of Medical Assistance Services, 600 E. Broad Street, Richmond, VA 23219;
  - o Email to [appeals@dmas.virginia.gov](mailto:appeals@dmas.virginia.gov); or
  - o Fax to (804) 452-5454.

The Department of Medical Assistance Services normal business hours are from 8:00 a.m. to 5:00 p.m. Eastern time. Any documentation or correspondence submitted to the DMAS Appeals Division after 5:00 p.m. will be date stamped on the next day the Department is officially open. Any document that is filed with the DMAS Appeals Division after 5:00 p.m. on the deadline date will be untimely.

Any provider appealing a DMAS informal appeal decision must file a written notice of formal appeal with the DMAS Appeals Division **within 30 calendar days** of the provider's receipt of the DMAS informal appeal decision. The notice of formal appeal must identify each adjustment, patient, service date, or other disputed matter that the provider is appealing. Failure to file a written notice of formal appeal within 30 calendar days of receipt of the informal appeal decision will result in dismissal of the appeal. The notice of appeal must be transmitted through the same methods listed above for informal appeals.

The provider may appeal the formal appeal decision to the appropriate circuit court in accordance with the APA at the Code of Virginia § 2.2-4025, *et. seq.* and the Rules of Court.

The provider may not bill the member for covered services that have been provided and subsequently denied by DMAS.

#### Repayment of Identified Overpayments

Pursuant to § 32.1-325.1 of the *Code of Virginia*, DMAS is required to collect identified overpayments. Repayment must be made upon demand unless a repayment schedule is agreed to by DMAS. When lump sum cash payment is not made, interest shall be added on the declining balance at the statutory rate, pursuant to the *Code of Virginia*, § 32.1-313.1. Repayment and interest will not apply pending the administrative appeal. Repayment schedules must ensure full repayment within 12 months unless the provider demonstrates, to the satisfaction of DMAS, a financial hardship warranting extended repayment terms.

#### **State-Operated Provider**

The following procedures will be available to state-operated providers when DMAS takes adverse action which includes termination or suspension of the provider agreement or denial of payment for services rendered. State-operated provider means a provider of Medicaid services that is enrolled in the Medicaid program and operated by the Commonwealth of Virginia.

A state-operated provider has the right to request a reconsideration of any issue that would be otherwise administratively appealable under the State Plan by a non-state operated provider. This is the sole procedure available to state-operated providers.

The reconsideration process will consist of three phases: an informal review by the Division Director, a further review by the DMAS Agency Director, and a Secretarial review. First, the state-operated provider must submit to the appropriate DMAS Division Director written information specifying the nature of the dispute and the relief sought. This request must be received by DMAS within 30 calendar days after the provider receives a Notice of Program Reimbursement (NPR), notice of proposed action, findings letter, or other DMAS notice giving rise to a dispute. If a reimbursement adjustment is sought, the written information must include the nature of the adjustment sought, the amount of the adjustment sought and the reason(s) for seeking the adjustment. The Division Director or his/her designee will review this information, requesting additional information as necessary. If either party so requests, an informal meeting may be arranged to discuss a resolution.

Any designee shall then recommend to the Division Director whether relief is appropriate in accordance with applicable laws and regulations. The Division Director shall consider any recommendation of his/her designee and render a decision.

The second step permits a state-operated provider to request, within 30 days after receipt of the Division Director's decision, that the DMAS Agency Director or his/her designee review the Decision of the Division Director. The DMAS Agency Director has the authority to take whatever measures he/she deems appropriate to resolve the dispute.

The third step, where the preceding steps do not resolve the dispute to the satisfaction of the state-

operated provider, permits the provider to request, within 30 days after receipt of the DMAS Agency Director's Decision, that the DMAS Agency Director refer the matter to the Secretary of Health and Human Resources and any other Cabinet Secretary, as appropriate. Any determination by such Secretary or Secretaries shall be final.

## **Client Appeals**

**For client appeals information, see Chapter III of the Provider Manual.**

## **Termination of a Provider Contract Upon Conviction of a Felony**

Section 32.1-325 D.2 of the Code of Virginia mandates that "Any such Medicaid agreement or contract shall terminate upon conviction of the provider of a felony." A provider convicted of a felony in Virginia or in any other of the 50 states must, within 30 days, notify DMAS of this conviction and relinquish the agreement. Reinstatement will be contingent upon provisions of state law.

## **Program Information**

Federal regulations governing program operations require the Virginia Medicaid Program to supply program information to all providers. The current system for distributing this information is keyed to the provider number on the enrollment file, which means that each assigned provider receives Program information. Individual providers may request that publications not be mailed to them by completing a Mailing Suspension Request form and returning it DMAS Provider Enrollment Services (PES) at the address given on the form. The Mailing Suspension Request form must be completed and signed by each provider within the group who is requesting that Program information not be sent. The address is:

Virginia Medicaid - PES PO Box 26803  
Richmond, Virginia 23261-6803  
Phone: 804-270-5105 or 1-888-829-5373  
Fax: 804-270-7027

## **Member Eligibility**

Updated: 2/22/2019

### **Determining Eligibility**

The Department of Medical Assistance Services (DMAS) administers Virginia's medical assistance programs: Medicaid (called FAMIS Plus for children), FAMIS for children under age 19 years, and FAMIS MOMS for pregnant women. FAMIS and FAMIS MOMS offer coverage similar to Medicaid but have higher income thresholds. Per state regulations, eligibility determinations for the medical assistance programs are made by the local departments of social services (LDSS) and by the Cover Virginia Central Processing Unit (CPU).

Inquiries from persons who wish to apply for medical assistance should be referred to the LDSS in the locality in which the applicant resides, to the Cover Virginia Call Center at 1-855-242-8282, or

the Cover Virginia website at [www.CoverVA.org](http://www.CoverVA.org). DMAS will not pay providers for services, supplies, or equipment until the applicant's eligibility has been determined. (See "Assistance to Patients Possibly Eligible for Benefits.") Once an applicant has been found eligible, coverage for Medicaid can be retroactive for up to three months before the month in which the application was filed. A member's eligibility must be reviewed when a change in the member's circumstances occurs, and all members are subject to an annual renewal (redetermination) of eligibility.

### Groups Covered by Medical Assistance

Individuals who apply for Medicaid are evaluated under the covered group or groups they meet. Each covered group has a prescribed income limit, and some covered groups also have an asset or resource limit. . Individuals may be eligible for full medical assistance coverage, including the payment of Medicare premiums for Medicaid members with Medicare, if they fall into one of the following covered groups and meet the nonfinancial and financial requirements for the group:

- Auxiliary Grants (AG) recipients
- Aged, blind or disabled (ABD) recipients of Supplemental Security Income (SSI) and certain former SSI recipients with "protected" status
- ABD individuals with income less than or equal to 80% of the Federal Poverty Level (FPL) who are age 65 or older and/or who are eligible for or enrolled in Medicare.
- Low-Income Families with Children (parents with a dependent child under age 18 years in the home)
- Pregnant women, and postpartum women through the end of the 60-day postpartum period (Medicaid, FAMIS MOMS)
- Newborns up to age one year born to mothers who were eligible for Medicaid or covered by FAMIS or FAMIS MOMS at the time of the birth
- Children in foster care or subsidized adoptions, and individuals under age 26 who were formerly in foster care until their discharge from foster care at age 18 or older.
- Children under age 19 years (FAMIS Plus, FAMIS)
- Adults between the ages of 19 and 64 who are not eligible for or enrolled in Medicare. These individuals are referred to as Modified Adjusted Gross Income (MAGI) Adults.
- Individuals under age 21 in institutional care
- Breast and Cervical Cancer Prevention and Treatment Act (BCCPTA)—women and men who were certified through the Breast and Cervical Cancer Early Detection Program.
- Individuals who are in long-term care institutions or receiving services under a home and community-based care waiver, or who have elected hospice care

The following individuals may be eligible for limited Medicaid coverage if they meet the nonfinancial and financial requirements for their covered group:

- Qualified Medicare Beneficiaries (QMBs) with income over 80% of the FPL but within 100% of the FPL. This group is eligible for **Medicaid coverage of Medicare premiums, deductibles, and coinsurance only**.
- Special Low-Income Medicare Beneficiaries (SLMB) with income less than 120% of the FPL. This group is eligible for Medicaid coverage of **Medicare Part B premiums only**.
- Qualified Individuals (QI) with income equal to or greater than 120% but less than 135% of the FPL. This group is eligible for Medicaid coverage of the **Medicare Part B premiums only**.

- Qualified Disabled and Working Individuals (QDWI) with income up to 200% of the FPL. This group is eligible for Medicaid payment of **Medicare Part A premiums only**.
- Plan First - any individual with income equal to or less than 200% of FPL. This group is eligible for limited Medicaid coverage of family planning services only and not covered for full Medicaid benefits. If a member does not wish to be enrolled in Plan First, he or she should contact the local DSS to be disenrolled.

### Medically Needy Covered Groups and Spenddown

Through a process known as “spenddown,” Medicaid provides a limited period of full coverage for certain groups of “Medically Needy” individuals who meet all of the Medicaid eligibility requirements but have excess income for full benefit Medicaid. Individuals to which spenddown may apply include:

- ABD individuals
- Pregnant women and their newborn children
- Children under age 18
- Individuals under Age 21 in institutional care, under supervision of the Department of Juvenile Justice, foster care, or subsidized adoptions
- Individuals in long-term care institutions and those receiving services under a home and community-based care waiver or who have elected hospice care.

To be eligible for Medicaid, the individual must have incurred medical expenses that at least equal the spenddown liability. If the individual’s allowable medical expenses equal the spenddown liability amount before the end of a budget period (six-month period for noninstitutionalized individuals or a one month period for institutionalized individuals), the applicant may receive a limited period of Medicaid coverage which will stop at the end of the budget period. The spenddown liability is the difference between the individual’s income and the Medically Needy income limit for the individual’s locality, multiplied by the number of months in the individual’s spenddown period. Eligibility must be re-determined in order to establish eligibility in subsequent budget periods.

An individual placed on a spenddown does **not** have full Medicaid coverage until the spenddown is met, however they may be eligible for limited Medicaid coverage, Plan First, during the spenddown period. Medicaid cannot pay medical expenses incurred prior to the date the spenddown is met.

### Emergency Medicaid Services for Aliens

To be eligible for full Medicaid benefits, FAMIS or FAMIS MOMS, an individual must be a resident of Virginia and a U.S. citizen or an alien qualified for full benefits. Individuals who do not qualify for full Medicaid benefits due to their alien status may be eligible for Medicaid coverage of emergency services if they meet all other nonfinancial and financial eligibility requirements for full Medicaid coverage.. The FAMIS and FAMIS MOMS programs do not cover emergency services for undocumented immigrants.

LDSS staff determine eligibility for receipt of emergency Medicaid coverage based on regular eligibility criteria and documentation from the provider of services that emergency services were provided. The provider may refer the individual to the LDSS or Cover Virginia (see Chapter I for

information on the covered services and the coverage criteria.) For the purposes of this section, labor and delivery are considered emergency services.

Receipt of the emergency treatment will be verified by the LDSS through the member's medical record obtained from the provider. The LDSS will send a written request to the provider for the necessary documentation of the emergency service. This documentation must include all required Medicaid forms and a copy of the member's complete medical record. For inpatient hospital stays, this documentation will be the medical record for the entire hospitalization up to the 21-day limit for those over age 20.

The LDSS is authorized to approve labor and delivery services of up to three days for a vaginal delivery and five days for a cesarean section. All other services will be referred to DMAS for approval of the coverage of treatment and for establishment of the time for which this coverage will be valid.

If the member is found eligible and the emergency coverage is approved by DMAS, each provider rendering emergency care will be notified via the Emergency Medical Certification Form (#032-03-628) of the member's temporary eligibility number for coverage of the treatment of the conditions during the time stated on this form. This form will also be used to notify providers if an alien is not eligible for emergency care (See "Exhibits" at the end of this chapter for a sample of this form.).

### Medicaid Eligibility for Institutionalized Individuals

An institutionalized individual is defined as one who is receiving long-term services and supports (LTSS) as an inpatient in a medical institution or nursing facility or in the home or community setting. Home and community based services (HCBS) include waiver services such as personal care, adult day health care, respite care, and the Program for All Inclusive Care for the Elderly (PACE).

To be approved for Medicaid-covered LTSS, the individual must be institutionalized in a nursing or other medical facility or have been screened and approved for HCBS. and be eligible for Medicaid in a full-benefit covered group.

If an individual is not eligible for Medicaid in any other full-benefit covered group, the individual's eligibility in the one of the special income covered groups is determined. The policy for these groups allows a different method of determining income and resource eligibility, a higher income limit of 300% of the SSI payment for one person., An married institutionalized individual's spouse at home is referred to as the community spouse. The community spouse is able to retain a specified amount of resources in order to continue to meet maintenance needs in the community. Some of the institutionalized spouse's monthly income may also be allocated to the community spouse if certain criteria are met. At the time of application for Medicaid, the LDSS completes the resource assessment document, which produces a compilation of a couple's combined countable resources at the time one spouse became institutionalized and a calculation of a spousal share (the amount of shared resources that can be allocated to the community spouse). An institutionalized spouse with a community spouse may also request a resource assessment without submitting a Medicaid application to assist with financial planning.

Most individuals receiving LTSS have an obligation toward the cost of their care, known as the patient pay. MAGI adults do not have a patient pay responsibility.

## **Family Access to Medical Insurance Security (FAMIS) Plan**

Section 4901 of the Balanced Budget Act of 1997 (BBA) amended the Social Security Act (the Act) by adding a new title XXI, the State Children's Health Insurance Program (SCHIP). Title XXI provides funds to states to enable them to initiate and expand the provision of child health assistance to uninsured, low-income children in an effective and efficient manner.

Virginia's Title XXI program is known as FAMIS and is a comprehensive health insurance program for Virginia's children from birth through age 18 who are not covered under other health insurance and whose income is over the Medicaid income limit and under 200 percent of the Federal Poverty Level. FAMIS is administered by DMAS and is funded by the state and federal government.

### FAMIS Covered Services

FAMIS covered services are somewhat different from Medicaid covered services. One of the key differences is that most children enrolled in the FAMIS Program are not eligible for EPSDT treatment services. Children who are eligible for the FAMIS program must enroll with a Managed Care Organization (MCO). Although FAMIS enrollees receive well child visits, they are not eligible for the full EPSDT treatment benefit.

The following services are covered for FAMIS enrollees:

- Abortion only if necessary to save the life of the mother
- Behavioral therapies including, but not limited to, applied behavior analysis;
  - Assistive technology
  - Blood lead testing
- Chiropractic with benefit limitations
- Clinic services (including health center services) and other ambulatory health care services
- Community Mental Health Rehabilitation Services (CMHRS) including:
  - Intensive in-home services
  - Therapeutic day treatment

- Mental health crisis intervention
- Case management for children at risk of (or with) serious emotional disturbance
- Dental services (includes diagnostic, preventive, primary, orthodontic, prosthetic and complex restorative services)
- Durable medical equipment, prosthetic devices, hearing aids, and eyeglasses with certain limitations
- Disposable medical supplies
- Early Intervention services including targeted case management
- Emergency hospital services
- Family planning services, including coverage for prescription drugs and devices approved by the U.S. Food and Drug Administration for use as contraceptives
- Gender dysphoria treatment services
- Home and community-based health care services (includes nursing and personal care services, home health aides, physical therapy, occupational therapy, and speech, hearing, and inhalation therapy)
- Hospice care including care related to the treatment of the child's condition with respect to which a diagnosis of terminal illness has been made
- Inpatient substance abuse treatment services, with the following exceptions: services furnished in a state-operated mental hospital, services furnished in IMDs, or residential services or other 24-hour therapeutically planned structural services
- Inpatient services (365 days per confinement; includes ancillary services)
- Inpatient acute mental health services in general acute care hospital only. Does not include those (a) services furnished in a state-operated mental hospital, (b) services furnished by IMDs, or (c) residential services or other 24-hour therapeutically planned structural services
- Maternity services including routine prenatal care
- Medical formula, enteral/medical foods (sole source, specialized formula - not routine infant formula)
- Nurse practitioner services, nurse midwife services, and private duty nursing services are covered. Skilled nursing services provided for special education students are covered with limitations
- Organ transplantation
- Outpatient mental health services, other than services furnished in a state-operated mental hospital
- Outpatient substance abuse treatment services, other than services furnished in a state-operated mental hospital. These include intensive outpatient, partial hospitalization, medication assisted treatment, case management, and peer support services
- Outpatient services, including emergency services, surgical services, clinical services, and professional provider services in a physician's office or outpatient hospital department

- Outpatient diagnostic tests, X-rays, and laboratory services covered in a physician's office, hospital, independent and clinical reference lab (including mammograms);
- Prescription drugs (mandatory generic program) and over-the-counter (optional for managed care)
- Peer support services
- Physician services, including services while admitted in the hospital, or in a physician's office, or outpatient hospital department
- Physical therapy, occupational therapy, and services for individuals with speech, hearing, and language disorders
- School based health services
- Skilled nursing facility
- Surgical services
- Transportation - professional ambulance services only to medically necessary covered services (fee-for-service members have routine access to and from providers of covered medical services)
- Vision services
- Well-child care, including visits, laboratory services as recommended by the American Academy of Pediatrics Advisory Committee, and any immunizations as recommended by the Advisory Committee on Immunization Practice (ACIP)

Member Copays

FAMIS does not have yearly or monthly premiums. However, children who are enrolled in a MCO must pay co-payments for some covered services. There are no co-payments required for preventative services such as well-child care, immunizations, or dental care. The chart below shows the co-payment amounts for some basic FAMIS services for children who are enrolled in a MCO, based on co-pay status.

NOTE: Native Americans and Alaskan Natives do NOT have any co-payments.

<b>SERVICE*</b>	<b>Co-pay Status 1</b>	<b>Co-pay Status 2</b>
Outpatient Hospital or Doctor	\$2 per visit	\$5 per visit
Prescription Drugs	\$2 per prescription	\$5 per prescription
Inpatient Hospital	\$15 per admission	\$25 per admission
Non-emergency use of Emergency Room	\$10 per visit	\$25 per visit
Yearly Co-payment Limit per Family	\$180	\$350

\*Other co-payments may apply to other services.

## Member Eligibility Card

A blue and white plastic eligibility card is issued to members to present to participating providers. Plan First members receive a green and white identification card. **The provider is obligated to determine that the person to whom care or service is being rendered is the same individual listed on the eligibility card.** The provider has the responsibility to request such identification as he or she deems necessary. Presentation of a plastic ID card is not proof of coverage nor guarantee of payment. A sample of an eligibility card is included under “Exhibits” at the end of this chapter.

**Eligibility must be confirmed each time service is rendered.** Verification can occur through a verification vendor, the voice response system or the web-based verification system. LDSS do not provide verification of eligibility to providers.

Some individuals have coverage under a Virginia Medicaid/FAMIS contracted managed care organization (MCO) and should not receive services outside their network without a referral and authorization from the MCO. These members will have an MCO card in addition to the Medicaid/FAMIS card. The verification response will advise if the member has restrictions such as a contracted MCO enrollment, or a primary payer.

The provider must determine if the service is within the dates of eligibility. These dates must be checked prior to rendering any service. Benefits are available only for services performed during the indicated period of eligibility; Medicaid/FAMIS will not pay for care or services rendered before the beginning date or after the end date of eligibility.

### Bank Identifier

The top six numbers on the plastic card represent the Bank Identifier Number (BIN), which is required for pharmacy benefit cards under the National Council of Prescription Drug Programs (NCPDP).

### Name of Eligible Person

An eligibility card is issued to each person eligible for full Medicaid/FAMIS benefits and QMBs. Members enrolled in Plan First receive a green and white identification card. Check the name against another proof of identification if there is any question that the card does not belong to the member.

### Member's Eligibility Number

The member's complete eligibility number is embossed on the front of the eligibility card. Eligibility numbers are distinct and permanent. When a member relocates or moves into another case, or has a break in eligibility, he keeps the same number and the same card. When members are enrolled in Plan First, they will receive a green and white identification card. This number serves as a “key” in verifying current eligibility status.

**All 12 digits must be entered on Medicaid forms for billing purposes.**

### Date of Birth

The date of birth indicates the member's age and identifies eligibility for those services with age

restrictions, such as dental care for members under age 21 and pregnant women. The date of birth should be checked prior to rendering any services. The provider should verify the age of the member. If the provider has a question as to the age of the member, means of identification other than the Medicaid/FAMIS card should be examined.

### **Sex**

The member's gender is indicated on the card.

### **Card #**

The sequential number of the member's card is given. If a card is lost or stolen and another Manual Title All Manuals Chapter III Page 7 Chapter Subject Member Eligibility Page Revision Date 02/22/2019 is issued, the prior card will be de-activated and will not confirm eligibility using the magnetic "swipe" mechanism.

### **Cardholder's Signature (signature line on back)**

The signature line provides another element of verification to confirm identity

## **Verification of Member Eligibility**

It is the obligation of the provider of care to determine the identity of the person named on the eligibility card and the current eligibility status, to include program type or MCO enrollment. It is in the best interest of the provider to review the card each time services are rendered. Possession of a card does not mean the holder is currently eligible for benefits. The member does not relinquish the card when coverage is cancelled. Replacement cards must be requested.

### **Program/Benefit Package Information**

Members' benefits vary depending upon the program in which they are enrolled. The eligibility verification will provide information on which program the member is participating in. Examples of these programs include Medallion 3.0, Medicaid fee-forservices, FAMIS MCO, CCC Plus, FAMIS fee-for-service and Medicare premium payment.

### **Limited Benefit Programs for Which Members Receive Eligibility Cards**

The Medicare Catastrophic Coverage Act of 1988 and other legislation require State Medicaid Programs to expand the coverage of services to QMBs. There are two levels of coverage for QMBs, based on financial eligibility.

**QMB Coverage Only**—Members in this group are eligible for Medicaid coverage of Medicare premiums and of deductible and coinsurance up to the Medicaid payment limit, less the member's copayment on allowed charges for all Medicare-covered services. Their Medicaid verification will provide the message "QUALIFIED MEDICARE BENEFICIARY--QMB." The Medicare coinsurance is limited to the Medicaid fee when combined with the Medicare payment.

**QMB Extended Coverage**—Members in this group are dually-eligible for full Medicaid coverage and Medicare. They are eligible for Medicaid coverage of Medicare premiums and of deductible and coinsurance up to the Medicaid payment limit on allowed charges for all Medicare-covered services plus coverage of all other Medicaid-covered services listed in Chapter I of this manual. This group's

Medicaid verification provides the message, "QUALIFIED MEDICARE BENEFICIARY--QMB EXTENDED." These members are responsible for copays for pharmacy services, health department clinic visits, and vision services.

SLMBs and QIs do not receive member eligibility cards because they are not eligible for the payment of medical services rendered.

Plan First—Men and women enrolled in Plan First can receive limited Medicaid covered family planning services only, and they receive a green and white plastic Plan First identification card. This group’s Medicaid verification provides the message, “PLAN FIRST - FAMILY PLANNING SERVICES ONLY.” See the Plan First Manual for more information.

All Others—Members without ANY of these messages at time of verification will be eligible for those covered services listed in Chapter I of this manual.

**Special Indicator Code (Copayment Code)**

The Special Indicator Code indicates the status of copayments or eligibility for certain additional services. These codes are:

<b>Code</b>	<b>Message</b>
A	Under 21 - No copay exists.
B	Individuals Receiving Long-Term Care Services, Home or Community-Based Waiver Services, or Hospice Care - No copay is required for any service.
C	All Other Members - Copays apply for inpatient hospital admissions, outpatient hospital clinic visits, clinic visits, physician office visits, other physician visits, eye examinations, prescriptions, home health visits, and rehabilitation service visits. (Some verification methods may return a yes/no response. Yes = copays apply. No = copays do not apply)

The following copay exemptions apply:

- Members in managed care organizations may not have to pay copays.
- Pregnancy-related services or family planning clinic visits, drugs, and supplies are exempt from copays for all members.
- No copayments apply for any emergency services for any member, with one exception for members in Client Medical Management with a pharmacy restriction. Please refer to the Client Medical Management exhibit in Chapter I for more information on this exception.

The Medicaid member co-pays are located in Chapter IV.

The FAMIS member co-pays are:

<b>Service*</b>	<b>Co-pay Status 1</b>	<b>Co-pay Status 2</b>
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Service*	Co-pay Status 1	Co-pay Status 2
Outpatient Hospital or Doctor	\$2 per visit	\$5 per visit
Prescription Drugs	\$2 per prescription	\$5 per prescription
Inpatient Hospital	\$15 per admission	\$25 per admission
Non-emergency use of Emergency Room	\$10 per visit	\$25 per visit
Yearly Co-payment Limit per Family	\$180	\$350

\*Other co-payments may apply to other services.

Insurance Information The "Insurance Information" in the verification response indicates any type of insurance coverage the member has in addition to Medicaid. This information includes specific insurance companies, dates of coverage, policy numbers, and a code that specifies the particular type of coverage of the policy. These items are:

Carrier Code	A three-digit code indicating the name of the insurance carrier, e.g. 001 for Medicare (See Insurance Company Code List for these code numbers in "EXHIBITS" at the end of this chapter.) If the carrier code is 003 (not listed), call the member's local eligibility worker for assistance in obtaining the name of the insurance carrier.
Begin Date	The first date on which this insurance policy was effective
Type Code	An alpha character describing the type of coverage provided by the policy, such as a "D" for dental coverage. (See the Type of Coverage Code List under "EXHIBITS" at the end of this chapter for a list of these codes.)
Policy Number/ Medicare Code	The specific policy or Medicare number for the insurance identified by the Carrier Code

Only insurance information for active policies during the period for which eligibility is requested is provided at verification. If the member reports insurance information different from what is on the card, refer the member to his or her LDSS eligibility worker to correct the data so bills will be processed correctly.

Under the assignment of benefits regulations, DMAS can act on behalf of the member (subscriber) and recover third-party payment from the primary carrier. Workers' Compensation and other liability insurances (e.g., automobile liability insurance or home accident insurance) are always considered as primary carriers for cases where coverage is applicable to the injury being treated. Because the member's eligibility card cannot indicate this coverage, it is necessary that cause-of-injury information be obtained from the member.

#### Primary Care Providers (PCPs) for the Client Medical Management Program

A primary care designation or restriction is imposed by the Member Monitoring Unit of DMAS as a result of high utilization of services by the member causing unnecessary or duplicate services. Eligibility verification will list the names of designated primary care providers (physician and/or pharmacy). The designated providers must agree to the relationship prior to the designation

appearing on the member's card. Unless it is an emergency, do not provide services without contacting the primary care provider first for authorization.

### Managed Care Programs

Most Medicaid members are enrolled in one of the Department's managed care programs (Medallion 3.0, Medallion 4.0, CCC Plus, PACE). Each program has specific eligibility requirements and health plan assignment criteria for its members. For more information, please contact the individual's managed care plan/PACE provider directly.

Contact and/or eligibility and assignment information for managed care plans can be found on the DMAS website for each program as follows:

- Medallion 3.0:  
<http://www.dmas.virginia.gov/#/med3>
- Medallion 4.0:  
<http://www.dmas.virginia.gov/#/med4>
- Commonwealth Coordinated Care Plus (CCC Plus):  
<http://www.dmas.virginia.gov/#/cccplus>
- Program of All-Inclusive Care for the Elderly (PACE):  
<http://www.dmas.virginia.gov/#/longtermprograms>

### Member Without an Eligibility Card

A member who seeks services without a current eligibility card should be considered responsible for all charges incurred unless eligibility is verified. The provider can verify eligibility without the card using two other identification keys, including name, Social Security Number, and date of birth. These can be used to access the MediCall automated System, the verification vendors, and the web verification system (ARS). See Chapter I for further information about verification methods. LDSS do not provide verification of eligibility to providers.

### Assistance to Patients Possibly Eligible for Benefits

If a patient is unable to pay for services rendered, the provider may refer the patient or the patient's authorized representative to the LDSS in the locality in which the applicant resides or to the Cover Virginia Call Center at 1-855-242-8282 for an application for health care coverage. The LDSS or Cover Virginia will notify the patient of eligibility or ineligibility. Medicaid assumes no financial responsibility for services rendered prior to the effective date of a member's eligibility. The effective date of Medicaid eligibility may be retroactive up to three months prior to the month in which the application was filed, if the patient was eligible during the retroactive period. Once a patient is found eligible, providers may bill Medicaid for covered services, and upon receipt of payment from Medicaid, must reimburse the patient for the out-of-pocket expenses; Medicaid does not reimburse members for out-of-pocket expenses.

## **Medicaid Applications -- Authorized Representative Policy**

Medicaid eligibility requirements are strict and require an applicant or someone conducting business on his or her behalf to attest to citizenship or alien status, declare all income and assets, and make assignment of insurance and medical support benefits. In order to accurately determine eligibility, LDSS must ensure that an individual who files an application or someone conducting business on behalf of the applicant has full knowledge of the applicant's situation and can provide correct information.

A Medicaid applicant must sign the application form unless the application is filed and signed by the applicant's legal guardian or conservator, attorney-in-fact, or other person who is authorized to apply on the applicant's behalf. If the applicant is unable to sign his or her name but can make a mark, the mark must be designated "his/her mark" and witnessed by one person.

A child under age 18 cannot legally sign a Medicaid application for himself or herself unless he or she is legally emancipated from his or her parents. If a child is not legally emancipated, his or her parent or legal guardian, an authorized representative designated by the parent or legal guardian, or a caretaker relative with whom the child lives must sign the application. Exception: A minor child under 18 years of age may apply for Medicaid on behalf of his or her own child.

A legally competent individual age 18 or older may authorize anyone age 18 or older to file a Medicaid application on his or her behalf provided that the authorization is in writing, identifies the individual or organization authorized to conduct business on his or her behalf, and is signed by the individual giving the authorization.

When an individual has been determined by a court to be legally incompetent or legally incapacitated, the individual's legally appointed guardian or conservator is the individual's authorized representative and can apply for Medicaid on the individual's behalf. If an individual does not have a legal guardian or authorized representative and is mentally unable to sign an application or designate a representative, the individual's spouse will be considered the authorized representative for Medicaid purposes. In situations where the individual is not married, is estranged from his or her spouse, or the spouse is unable to represent him or her, a relative of the individual who is willing to take responsibility for the individual's Medicaid business may be considered his or her authorized representative. Relatives who may be considered authorized representatives in this situation are, in the following order of preference: the individual's adult child; parent; adult sibling; adult niece or nephew; or adult aunt or uncle.

If it is determined that an individual cannot sign an application and does not have an attorney-in-fact or authorized representative, a Medicaid application may be filed by someone other than an authorized person provided the individual's inability to sign the Medicaid application is verified by a written statement from the individual's doctor. The statement must indicate that the individual is unable to sign and file a Medicaid application because of his or her diagnosis or condition. The LDSS will pend the application until it can be appropriately signed if it is determined that court action has been initiated to have a guardian or committee appointed for the individual or until an Adult Protective Services investigation concludes that guardianship proceedings will not be initiated. Under no circumstances can an employee of, or an entity hired by, a medical service provider who stands to obtain Medicaid payment file a Medicaid application on behalf of an individual who cannot

designate an authorized representative.

An application may be filed on behalf of a deceased person by his or her guardian or conservator, attorney-in-fact, executor or administrator of his or her estate, surviving spouse, or a surviving family member, in the following order of preference: adult child, parent, adult sibling, adult niece or nephew, or adult aunt or uncle. The application must be filed within a three-month period subsequent to the month of the individual's death. Medicaid coverage can be effective no earlier than three months prior to the application month. Under no circumstances can an employee of, or an entity hired by, a medical service provider who stands to obtain Medicaid payment file a Medicaid application on behalf of a deceased individual.

## **Non-Medicaid Patient Relationship**

Medicaid-eligible members who elect to be treated as private patients or who decline to verify their Medicaid eligibility with providers will be treated as private pay patients by the provider and by DMAS. Providers are required to furnish supporting documentation whenever patients fall into either of these categories.

## **Newborn Infant Eligibility**

All newborn days, including claims for "well babies," must be submitted separately. "Well baby" days cannot be processed as part of the mother's per diem, and no information related to the newborn must appear on the mother's claim.

A newborn is automatically considered eligible for Medicaid or FAMIS through age 1 year if the newborn's mother was eligible for full coverage Medicaid or enrolled in FAMIS or FAMIS MOMS at the time she gave birth. A medical assistance application must be filed for any child whose mother was not eligible for Medicaid or enrolled in FAMIS/FAMIS MOMS at the time of the child's birth.

An easy, streamlined way for hospitals to report the birth of the newborn is through the Medicaid Web Provider Portal [www.virginiamedicaid.dmas.virginia.gov](http://www.virginiamedicaid.dmas.virginia.gov) under the link "E213". Any hospital staff that have approval from their hospital and have access to the portal may report the newborn's birth and receive the newborn's Member ID within 2 business days via email. The provider can verify newborn eligibility from the card using two other identification keys, including name, social security number, and the date of birth. These can be used to access MediCall, the verification vendors, and the web-based system, ARS.

See Chapter I: [General Information](#) for more information on eligibility verification.

## **Medicaid Eligibility for Hospice Services**

To be eligible to elect hospice as a Medicaid benefit, an individual must be entitled to Medicaid benefits and be certified as terminally ill. "Terminally ill" is defined as having a medical prognosis that life expectancy is six months or less. If the individual is eligible for Medicare as well as Medicaid, the hospice benefit must be elected or revoked concurrently under both programs.

## Guidelines on Institutional Status

Federal regulations in 42 CFR 435.1009 prohibit federal financial participation in Medicaid services provided to two groups of individuals in institutions; these individuals are NOT eligible for Medicaid:

- individuals who are inmates of a public institution, and
- individuals under age 65 years who are patients in an institution for the treatment of mental diseases (IMD), unless they are under age 22 and are receiving inpatient psychiatric services. An IMD is a hospital, nursing facility or other institution with more than 16 beds that is primarily engaged in providing diagnosis, treatment or care, including medical attention, nursing care and related services, to persons with mental diseases. A psychiatric residential treatment facility for children and adolescents is an IMD. An Intermediate Care Facility for the Intellectually Disabled (ICF-ID) is not an IMD.

### Inmates of a Public Institution

Inmates of public institutions fall into three groups:

- individuals living in ineligible public institutions;
- incarcerated adults; and
- juveniles in detention.

An individual is an inmate of a public institution from the date of admission to the public institution until discharge, or from the date of actual incarceration in a prison, county or city jail or juvenile detention facility until permanent release, bail, probation or parole.

An individual is considered incarcerated until permanent release, bail, probation or parole. An individual who lives in a public residential facility that serves more than 16 residents is NOT eligible for Medicaid. The following are ineligible public institutions:

- public residential institutions with more than 16 beds
- residential facilities located on the grounds of, or adjacent to, a public institution with more than 16 beds.

### Incarcerated Individuals

Incarcerated individuals (adults and juveniles) who are hospitalized can be eligible for Medicaid payment limited to services received during an inpatient hospitalization of 24 hours or longer, provided they meet all other Medicaid eligibility requirements.

Incarcerated individuals include:

- individuals under the authority of the Virginia Department of Corrections (DOC) or Virginia Department of Juvenile Justice (DJJ), and
- individuals held in regional and local jails, including those on work release.

Individuals are not eligible for full benefit Medicaid coverage while they are living in a correctional facility, regional or local jail or juvenile facility.

An individual in prison or jail who transfers temporarily to a halfway house or residential treatment facility prior to a formal probation release order is still an inmate of a public institution and can only be eligible for Medicaid payment limited to services received during an inpatient hospitalization.

An individual released from jail under a court probation order due to a medical emergency is NOT an inmate of a public institution because he is no longer incarcerated.

Once an individual is released from the correctional facility, he can be enrolled in full benefit Medicaid, provided he meets all Medicaid eligibility requirements.

## **Juveniles**

In determining whether a juvenile (individual under age 21 years) is incarcerated, the federal Medicaid regulations distinguish between the nature of the detention, pre- and postdisposition situations, and types of facilities.

### **a. Prior to Court Disposition**

The following juveniles can be eligible for Medicaid payment limited to services received during an inpatient hospitalization.

- Juvenile who is in a detention center due to criminal activity
- Juvenile who has criminal charges pending (no court disposition has been made) who is ordered by the judge to go to a treatment facility, then come back to court for disposition when the treatment is completed

### **b. After Court Disposition**

Juveniles who are on probation with a plan of release which includes residence in a detention center are inmates of a public institution. If they go to any of the secure juvenile correctional facilities, they are inmates of a public institution and can only be eligible for Medicaid payment limited to inpatient hospitalization. A list of secure detention facilities in Virginia is available on the Department of Juvenile Justice's web

site: [http://www.djj.virginia.gov/Residential\\_Programs/Secure\\_Detention/pdf/Detention\\_Home\\_Contacts\\_02242011rev.pdf](http://www.djj.virginia.gov/Residential_Programs/Secure_Detention/pdf/Detention_Home_Contacts_02242011rev.pdf).

If they go to a non-secure group home, they can be eligible for Medicaid or FAMIS because a non-secure group home is not a detention center. A juvenile who is in a detention center due to care, protection or in the best interest of the child can be eligible for full benefit Medicaid or Family Access to Medical Insurance Security (FAMIS) coverage.

### **c. Type of Facility**

The type of facility, whether it is residential or medical and whether it is public or private must be determined. A juvenile is not eligible for full-benefit Medicaid if he/she is a resident of an ineligible public residential facility. He can be eligible for Medicaid coverage limited to inpatient hospitalization if he is admitted to a medical facility for inpatient services.

## Who is Not an Inmate of a Public Institution

An individual is NOT an inmate of a public institution if:

- The individual is in a public educational or vocational training institution for purposes of securing education or vocational training OR
- The individual is in a public institution for a temporary period pending other arrangements appropriate to his needs. Individuals in public institutions for a temporary period include:
  - individuals admitted under a TDO
  - individuals arrested then admitted to a medical facility
  - inmates out on bail
  - individuals on probation (including a juvenile on conditional probation or probation in a secure treatment center), parole, or conditional release
  - juveniles in a detention center due to care, protection or in their best interest.

## Member Appeals

The Code of Federal Regulations at 42 CFR §431, Subpart E, and the Virginia Administrative Code at 12VAC30-110-10 through 12VAC30-110-370, require that written notification be provided to individuals when DMAS or any of its contractors takes an action that affects the individual's receipt of services. Most adverse actions may be appealed by the Medicaid member or by an authorized representative on behalf of the member. Adverse actions include partial approvals, denials, reductions in service, suspensions, and terminations. Also, failure to act on a request for services within required timeframes may be appealed. Members who are enrolled in an MCO may appeal to the MCO or directly to DMAS. For individuals who do not understand English, a translation of appeal rights that can be understood by the individual must be provided.

If an appeal is filed before the effective date of the action, or within 10 days of the date the notice of action was sent, services may continue during the appeal process. However, if the agency's action is upheld by the hearing officer, the member may be expected to repay DMAS for all services received during the appeal period. For this reason, the member may choose not to receive continued services. The provider will be notified by DMAS to reinstate services if continuation of services is applicable. If services are continued or reinstated due to an appeal, the provider may not terminate or reduce services until a decision is rendered by the hearing officer.

Member appeals must be requested in writing and postmarked or submitted within 30 days of receipt of the notice of adverse action. The member or his authorized representative may complete an Appeal Request Form. Forms are available on the internet at [www.dmas.virginia.gov](http://www.dmas.virginia.gov), or by calling (804) 371-8488.

If the member is not able to get the form, he may write a letter. The letter must include the name of the person whose request for benefits was denied, reduced, or cancelled. Also, the letter must include the person's date of birth, social security number, case number, the agency that took the action, and the date of the action.

A copy of the notice or letter about the adverse action should be included with the appeal request. The appeal request must be sent to the:



## **Appeals Division**

### **Department of Medical Assistance Services**

600 E. Broad Street, 6th Floor

Richmond, Virginia 23219

Appeal requests may also be faxed to: (804) 452-5454

The Appeals Division will notify members of the date, time and location of the hearing if the appeal is valid and a hearing is granted. The hearing will be conducted by a DMAS Hearing Officer. Most hearings will be done by telephone.

The Hearing Officer's decision is the final administrative decision by DMAS. If the member does not agree with the Hearing Officer's decision, he/she may appeal it directly to the circuit court in the city or county of residence.

## **Covered Services and Limitations (Podiatry)**

Updated: 5/21/1999

This chapter describes the coverage available to Department of Medical Assistance Services (DMAS) recipients for podiatry services. A description of covered and non-covered podiatry services, as well as the limitations that have been imposed on covered services, is included.

### **Covered Services (Podiatry)**

Covered podiatry services are defined as reasonable and necessary diagnostic, medical, surgical (mechanical, physical, and adjunctive) treatment of disease, injury, or defects of the human foot. Amputation of the foot or toes is not covered. The trimming of toenails is covered only if the patient has a systemic condition that has results in severe circulating embarrassment or areas of desensitization in the legs or feet. No other trimming of toenails is covered; see the section on page 10 entitled "NON-COVERED SERVICES AND LIMITATIONS."

DMAS requires the use of codes and definitions published in Physicians' Current Procedural Terminology, Fourth Edition (CPT-4) in billing covered services. The CPT-4 manual may be obtained from:

Order Department (OP-341/6)  
American Medical Association

P. O. Box 10946

Chicago, Illinois 60610-0946

Specify order number OP-341/6.

Podiatry coverage is further limited to the CPT-4 procedures listed in Appendix C of this manual.

The diagnosis and treatment of disorders to facilitate ambulation and promote progress to a lower level of care, including self-care, will be covered by DMAS. Services provided must be within the scope of the license of the podiatrist's profession as defined by State law and must be in accordance with the ethical and professional standards of the podiatry profession.

Services provided free to the general public cannot be billed to DMAS. This exclusion does not apply when items and services are furnished to indigent individuals without charge because of the individual's inability to pay, as long as the provider bills other patients for the same services according to their ability to pay.

Medicaid can only pay for services performed by the attending participating podiatrist or under his direct, personal supervision. For purposes of this program, direct personal supervision means immediately available, or physically present when the procedure is being performed, and assuming full responsibility. Records must fully disclose a sufficient amount of information to indicate the extent and nature of the podiatrist's participation in the care and treatment of the patient.

#### Laboratory and X-Ray Procedures

Payment for laboratory and X-ray services will be made directly to the provider performing the service (i.e., physician, independent laboratory, or other participating facility). The ordering podiatrist may bill for collection of specimens sent to the laboratory when billed as a single unit under Current Procedural Terminology (CPT) Code 99000. Only one collection fee is allowed per office visit. Laboratory procedures performed by outside sources at no charge to the practitioner are not to be billed to Medicaid and only a collection fee will be paid.

Whenever laboratory tests are performed that are generally part of a profile, the maximum payment is the appropriate automated profile rate, regardless of how the specimen is tested. This includes, but is not limited to, chemistry and hematology testing:

- The CPT delineates tests that are frequently done as part of a chemistry profile. When **two** or more of these lab tests are performed on the same specimen, in any combination, the lesser automated rate is to be billed regardless of how the specimen is tested. CPT Codes 80000-80019 are to

be used, and the code used must correlate with the number of tests performed. Only one panel code is to be used per specimen. If only one procedure is performed, use the appropriate CPT procedure code which describes the individual test.

- Whenever **four** or more components of a hemogram are performed, the appropriate hemogram CPT code is to be used (85021-85031). CPT Codes 85021-85028) are to be used when specimens are tested using automated

equipment, and CPT Code 85031 is to be used when specimens are tested manually.

- If fewer than four components of a hemogram are performed, they are to be billed using the appropriate individual CPT Codes.
- "Routine" foot X-rays are included in the initial evaluation. Payment for additional X-rays will be made only if additional X-rays are deemed medically necessary by DMAS. Evidence to substantiate additional X-rays must be included in the "Remarks" section of the invoice (e.g., postoperative, healing fracture, etc.).

Comparative X-rays of the asymptomatic foot are covered only when the cause of the disorder is uncertain.

#### Non-Covered Services

The following laboratory and X-ray services are specifically **EXCLUDED** from coverage and payment:

- Services performed on a routine basis but not medically indicated by the patient's symptoms.
- Laboratory test professional component (Modifier A) for procedures performed in the office, outpatient hospital, or in the independent laboratory. Payment for **supervision** and **interpretation** is included in the full procedure payment.
- Sensitivity studies when a culture shows no growth. Payment will only be made for the culture.
- X-ray procedure professional component (Modifier A) for procedures performed by an independent laboratory (portable X-ray service) or another physician performing a complete procedure. "Modifier E" is to be

used by the physician billing only for the use of radiology equipment (technical component). The technical component can only be billed in conjunction with another physician billing **only** for professional components.

### Hospital Visits

Payment to podiatrists for hospital visits is limited to the approved number of days of the inpatient hospital stay. Inpatient hospital care is provided for days that are medically necessary and are limited to a maximum of 21 days. This 21-day limit applies to 21 days of hospitalization for the same diagnosis within a 60-day period. The 60-day period begins with the first approved day of a hospital admission. Only 21 total days will be covered for the same diagnosis, whether incurred in one or more hospital stays or in the same or multiple hospitals, during the 60-day period. Claims for more than 21 days will be reviewed for possible coverage. In order for hospital days over 21 to be covered, the visits must be for a different diagnosis and medically justified.

### Exception to 21-Day Limit on Inpatient Hospital Stays

[Effective Date: October 1, 1986]

The Medicaid Program will pay for all medically necessary inpatient hospital stays and related provider services for recipients younger than 21 years of age. This extended coverage is allowed through the EPSDT Program. The revised policy for inpatient care in acute care hospitals is as follows:

- Patients, 21 years or older are limited to 21 days of covered hospitalization within 60 days for the same or similar diagnosis.
- Patients under 21 years of age are not affected by the limitation on covered hospital services. The program covers their entire length of medically necessary hospitalization until their 21st birthday.
- Patients who become 21 years of age while hospitalized for medically necessary stays are entitled to an additional 21 days for the same or similar diagnosis from the date of their 21st birthday.

Hospital coverage for preoperative work-up will be limited to one day prior to non-emergency surgery.

Non-emergency admissions on Friday and Saturday will not be covered.

Hospital visits are not payable in conjunction with diagnostic procedures. House Calls

Payment for house calls is limited to patients who are bedridden and for whom a trip to a podiatrist's office would be detrimental to both safety and health.

### Pharmacy Services

To ensure that payment can be made for the prescribed drug(s), each prescriber must include his DMAS provider number on the prescription. This number is also necessary for prescriptions made by telephone. The billing pharmacy must identify the prescriber by including the prescriber's DMAS provider number on the invoice before payment can be approved.

All recipients, except those exempted, are required to pay the dispensing pharmacy a \$1.00 copayment on each prescription qualifying for a copayment.

Maintenance drugs must normally be prescribed in quantities reflecting at least a 30-day supply or 100 units or doses, except when otherwise indicated by the patient's medical/psychological condition (effective January 15, 1975). Transdermal delivery systems (patches), anorexiant except those for selected patients meeting disability standards for obesity established by the Social Security Administration and whose condition is life-threatening (effective July 1, 1997), and drugs identified by the Federal Food and Drug Administration (FDA) as lacking substantial evidence of effectiveness in the Drug Efficacy Study Implementation (DESI) Program are not covered by Virginia Medicaid.

Diabetic test strips for recipients under 21 years of age are covered (effective July 1, 1989).

Anorectic drugs, including, but not limited to, Preludin, Dexedrine, Dexamyl, etc, are not covered by DMAS.

### **Early Refill Denial Edit and Therapeutic (Class) Duplication Edit**

DMAS has an early refill denial edit and therapeutic (class) duplication edit as an enhancement of the Medicaid ProDUR activities requirement. These Point-of-Service (POS) edits expand ProDUR activities to include the denial of unjustified requests for early prescription refills or therapeutic (class) duplicate products. In the unusual situations identified below, a mechanism has been provided for override of the denial.

“Early refill” is defined as “when a prescription refill is requested before 75% of the calculated days’ supply has elapsed for the previously filled prescription.” Providers must take extra care in verifying that a correct amount is shown for the “days’ supply” entry for all prescriptions.

Additionally, a denial edit for therapeutic duplication will occur when a product in the same therapeutic drug class as a concurrently utilized product (e.g., concurrent use of two calcium channel blockers) is billed. The following groups of drugs will be subject to therapeutic duplication alerts:

- ACE Inhibitors;
- Antidepressants;
- Anti-Ulcer;
- Benzodiazepines;
- Calcium Channel Blockers;
- Cardiac Glycosides;
- Diuretics; and
- Non-Steroidal Anti-Inflammatory Drugs (NSAIDs).

A payment denial code will require the provider to reverse the claim except in those cases where a valid reason can be documented for the need to override the denial.

In the following unusual circumstances, the pharmacist may override the denial

- A. Only the following reasons may be used as justification for override of early refill edits:
1. **“Temporary Exemption”** - Need determined by travel distance, transportation availability, or travel out of area;
  2. **“Missing Medication”** - Waste, spilled, lost, stolen, destroyed, or damaged drug supply;
  3. **“Data Entry Error (days’ supply)”** - Keying error or underestimation of use pattern; and
  4. **“Clinical Justification”** - Dose increase authorized by the prescriber, etc.
- B. Only the following reasons may be used as justification for override of the therapeutic duplication edit:
1. **“Original Drug Discontinued. New Drug Ordered.”** - Discontinued use of one drug and subsequent new prescription

issued in the same therapeutic drug class (e.g., substitution of one calcium channel blocker for another); and

2. **“Physician Contacted, Deems Duplicate Therapy Necessary.”** - Pharmacist’s professional judgment still must be used to ensure the patient will not be at risk from such duplication.

Pharmacy Coverage for Outpatients Including Payment for Certain Over-the-Counter (OTC) Products When Used as Therapeutic Alternatives to More Costly Legend Drugs and Payment Methodology for OTC Products and Oral Contraceptives

Previous coverage of pharmaceuticals for Virginia Medicaid recipients in the outpatient setting allowed coverage of OTC family planning drugs and supplies, as well as insulin, syringes, and needles. After extensive expert panel review and public comment, the Board of Medical Assistance Services (BMAS) determined that certain categories of over-the-counter (OTC) products also may be used appropriately as less costly therapeutic alternatives to certain categories of prescription-only (legend) drugs.

The purpose of this initiative is to allow the use of cost-saving alternatives in the prescription program, not to allow general coverage of all OTC products. Therefore, these products should only be prescribed for outpatients *when the provider otherwise would have used a more expensive legend product*. Note that it is possible to titrate the dose of many of these agents. In this manner, health professionals may choose to adjust the dose or product to suit the individual needs of the patient.

The choice of whether or not to use these additional products will be determined by the patient’s prescribing health care provider. This expansion of OTC coverage in the outpatient population will not affect the current coverage standards for categories of drugs included for OTC coverage in the nursing facility environment.

Effective for dates of service on and after February 1, 1997, additional OTC categories of products available for selected outpatients are:

Analgesics, oral

Hematinics

Antacids

Hydrocortisone, topical

Antidiarrheals Softeners	Laxatives, Bulk Producers, Stool
Antifungals, topical	Pediculocides/Scabicides
Antihistamines deficiencies)	Vitamins, pediatric (in established
Anti-infective agents, vaginal	Vitamins, prenatal
Anti-inflammatory agents, oral patients Anti-ulcer Preparations	Vitamins or Minerals for dialysis

Requests for OTC products will be handled in the same manner as prescriptions. The order may be written as a prescription or transmitted to the pharmacy by any other means which complies with the regulations of the Board of Pharmacy. Documentation is handled in the same manner as prescription drug orders. If the order is not received as a written document, the information must be reduced to writing and filed sequentially, as with any legend drug order. All requirements for storage and retrieval of documents must be observed. The product must be labeled according to the prescriber's order and appropriate counseling must be offered to the patient.

DMAS must rely on the expert professional judgment of its providers to use this cost- saving opportunity to the best advantage. The OTC products will be handled in the same manner as legend drug orders, with no additional documentation required. An analysis of utilization by category of product and provider will be undertaken. Evidence of inappropriate OTC use could stimulate the use of additional program constraints.

Products covered under this program must be supplied by companies participating in the HCFA Medicaid rebate program.

### New Drug Coverage

[Effective Date: February 1, 1990]

- Coverage will be denied for new drugs (except treatment investigational new drugs) with available less expensive therapeutic alternatives unless a practitioner obtains prior approval.
- Upon the receipt of an application for the consideration of coverage

of a new drug, the New Drug Review Committee will review all new drug products, including the dosage form and selected new strength (e.g., strengths which would result in a change in the dosage regimen or indication for use).

### **Instructions for Requesting the Preauthorization of and the Billing for a Non-Covered New Drug Product**

- The practitioner must complete the Preauthorization Request for Non-Covered New Drug form, DMAS-408 (see “EXHIBITS” at the end of this chapter for a sample of the form), for the original prescription for a non-covered new drug product and maintain a copy of the form in the patient's record.
- The original request form and the prescription must be given to the patient to take to a participating pharmacy of his/her choice. If the prescription is phoned in by the practitioner, a signed and dated preauthorization request form must be mailed immediately to the pharmacy provider chosen by the patient to fill the prescription. (If the patient is in the Client Medical Management Program, he/she must receive services from the assigned provider(s).)
- If the form is properly completed, the pharmacy provider may fill the prescription for the new drug product and submit a claim to the Virginia Medicaid Program for reimbursement. The original Preauthorization Request for Non-Covered New Drug must be attached to the first claim for reimbursement to be made.
- The pharmacy provider having the completed request on file with Virginia Medicaid may continue to dispense and receive reimbursement for prescriptions for a preauthorized non-covered new drug within limitations.
- The practitioner must provide either a new original or copy of an updated preauthorization request form with a current signature to a patient who changes pharmacy providers. The new pharmacy provider will need this preauthorization request form for initial billing purposes.

#### Multiple Source Drugs - Payment Basis

Under the authority of 1902 (a) (30) (A) and the regulations in 42 CFR 447.332, the

Health Care Financing Administration (HCFA) establishes a specific upper limit for certain multiple source drugs if the following requirements are met:

- All of the formulations of the drug approved by the Food and Drug Administration (FDA) have been evaluated as therapeutically equivalent in the current edition of the publication Approved Drug Products With Therapeutic Equivalence Evaluations (including supplements or in successor publications). See Appendix E for a listing of these drugs.
- At least three suppliers list the drug, which has been classified by the FDA as category "A" in its publication Approved Drug Products With Therapeutic Equivalence Evaluations (including supplements or in successor publications); in the current editions (or updates) of published compendia of cost information for drugs available for sale nationally (e.g., Red Book, Blue Book, Medi-Span).

The upper limit for multiple source drugs for which a specific limit has been established does not apply if a physician **certifies in his or her handwriting that a specific brand is "medically necessary"** for a particular recipient. The handwritten phrase "brand necessary" or "brand medically necessary" must appear on the face of the prescription. A dual line prescription form does not satisfy the certification requirement. A checkoff box on a form is not acceptable. The "brand necessary" documentation requirement applies to telephoned prescriptions. **This certification authorizes the pharmacist to fill the prescription with the requested brand name product and not to dispense the generic product listed in the Virginia Voluntary Formulary.**

In addition, the State Department of Medical Assistance Services has established a Virginia Maximum Allowable Cost for some multiple source drugs listed in the Virginia Voluntary Formulary which are not designated as federal maximum allowable drugs. Again, unless the physician follows the procedures outlined above for specifying a brand necessary drug, the Virginia Maximum Allowable Cost per unit will be used to determine the allowable payment.

Drug Utilization Review Program

State and federal legislation created the directive for the Virginia Medicaid Drug Utilization Review (DUR) program. The purpose of the OBRA 90 DUR Program is to ensure that prescriptions for outpatient drugs are appropriate, are medically necessary, and are not likely to cause adverse results. OBRA 90 further requires that the DUR Program be designed to educate physicians and pharmacists to reduce the frequency of patterns of fraud, abuse, gross overuse, or inappropriate, or medically unnecessary care. DMAS has established a DUR Board to review and approve drug use criteria and standards for both retrospective and prospective DURs; apply these criteria and standards in the performance of DUR activities; review and report the results of DURs; and recommend and evaluate educational intervention programs. The DUR Board has selected DUR criteria that are representative of clinically important issues. The focus of these criteria is on high-risk, high-volume, and high-cost drugs.

Under the OBRA 90 federal mandate, retrospective DUR is required for outpatients. However, because of a State legislative mandate for nursing facility retrospective DUR, nursing facility patients are also included in the retrospective component of the DUR Program. The criteria used for the nursing facility population is tailored to the needs of the elderly; the data for the outpatient and nursing facility populations will be analyzed and reported separately.

Prospective DUR (prospective review, patient counseling, and patient profiling) is required only for outpatients. Patient counseling is not required for inpatients of a hospital or institution where a nurse or other caregiver authorized by the Commonwealth is administering the medication.

The impact of the DUR Program on Medicaid providers varies. The retrospective component is primarily focused on prescribing patterns and is likely to have more of an effect on physicians and other prescribing providers. The pharmacist is responsible for performing the activities required for the prospective component. As a result, pharmacy providers will be affected by prospective DUR to a greater degree than prescribing providers.

#### Practitioner's Role in Transportation Services

Transportation for eligible Medicaid recipients is reimbursed by Medicaid when the transportation is necessary for the recipient to receive covered medical services.

## **Non-Covered Services and Limitations (Podiatry)**

Preventive health care, including routine foot care (e.g., trimming toenails for the prevention of ingrown toenails); other hygienic and preventive maintenance care, such as cleaning and soaking the feet; and any other services performed in the absence of localized illness, injury, or symptoms involving the foot are not covered.

An exception to this rule in which coverage is provided is corrective toenail trimming performed to prevent further complications in a patient who has a systemic condition that has resulted in severe circulating embarrassment or areas of desensitization in the legs or feet. Examples of systemic conditions that may result in severe circulation embarrassment are diabetes mellitus and thrombophlebitis of the lower extremities. The trimming of other diseased toenails where there is not such a systemic condition, such as onychomycotic toenails, is not covered. The trimming of nails for a systemic condition is limited to once every 60 days and must be medically necessary. The systemic condition justifying the toenail trimming must be clearly stated in the progress note for each date of service on which the trimming is performed.

Routine palliative trimming of corns, warts, or calluses (including plantar warts) is generally not covered. The service will be covered, however, if the removal of the corn, wart, or callus is necessitated by the presence of an associated pathological condition, such as cellulitis; any systemic condition that has resulted in severe circulating embarrassment or areas of desensitization of the legs or feet; or any disease whereby the patient's life or limb may be jeopardized if such lesions are not treated. The qualifying condition must be documented in the medical chart for each date of service on which the trimming is performed, and explained in the "Remarks" section of the invoice.

Treatment of flat feet and subluxations, dislocations, strains, imbalance, and other structural misalignment not requiring surgery is not covered except as may be the general medical practice for the correction of a congenital defect identified through the EPSDT program.

Separate charges for surgical assistants and anesthesiologists in connection with office surgery are not covered unless preauthorization has been given by DMAS.

The following services are not covered:

- Separate charges for an office visit or examination on the day of office surgery
- Experimental procedures
- Acupuncture

- Autopsy examinations
- X-rays beyond the confines of the foot and ankle
- Durable medical equipment and expendable medical supplies for home use, as well as prosthetic devices (including shoes)
- Courtesy calls - visits in which no identifiable service was rendered
- Care provided by mail or telephone
- Unkept or broken appointments
- Procedures for which payment is prohibited by State or federal statute or regulation

### **Medicare Catastrophic Coverage Act of 1988 (Podiatry)**

[Effective Date: January 1989]

The Medicare Catastrophic Act of 1988 and other legislation require State Medicaid Programs to expand the coverage of services to certain low income Medicare beneficiaries, known as Qualified Medicare Beneficiaries (QMBs).

#### QMB Coverage Only

Recipients in this group are eligible only for Medicaid coverage of Medicare premiums and of deductible and coinsurance on allowed charges for **all** Medicare-covered services. They will receive Medicaid cards with the message "QUALIFIED MEDICARE BENEFICIARY-QMB-MEDICAID PAYMENT LIMITED TO MEDICARE

COINSURANCE AND DEDUCTIBLE." Medicaid does not make payment for any recipient of this group for pharmacy, non-emergency transportation, medical supplies, or any service not covered by Medicare.

#### QMB Extended Coverage

Recipients in this group will be eligible for Medicaid coverage of Medicare premiums and of deductible and coinsurance on allowed charges for **all** Medicare-covered services **plus** coverage of **all** other Medicaid-covered services listed in Chapter I of this manual. This group will receive Medicaid cards with the message "QUALIFIED MEDICARE BENEFICIARY-QMB EXTENDED." These recipients are responsible for copay for pharmacy services, health department clinic visits, and vision services.

#### All Others

Recipients without either of these messages on their Medicaid cards will be eligible for those covered services listed in Chapter I of this manual.

## **Client Medical Management Program (Podiatry)**

As described in Chapters III and VI of this manual, the State may designate certain recipients to be restricted to specific physicians and pharmacies. When this occurs, it is noted on the Medicaid recipient's ID card. A Medicaid enrolled physician who is not the designated primary provider may provide and be paid for services to these recipients only:

- In a medical emergency situation in which a delay in treatment may cause death or result in lasting injury or harm to the recipient.
- On written referral from the primary physician. This also applies to covering physicians.

The primary care physician must complete a Practitioner Referral Form (DMAS-70) when making a referral to another physician or clinic (see "EXHIBITS" at the end of this chapter for a sample of the form). Appropriate billing instructions for these situations are covered in Chapter V of this manual.

## **Billing Instructions (Podiatry)**

Updated: 7/31/2015

Claims for services must be submitted to Medicaid on the appropriate billing invoice with the use of billing codes as explained in the instructions for each invoice.

The billing forms are two-part forms. The original copy is submitted as a bill for services rendered; the provider copy is retained by the provider.

## **Direct Data Entry (DDE Podiatry)**

As part of the 2011 General Assembly Appropriation Act - 300H which requires that all new providers bill claims electronically and receive reimbursement via Electronic Funds Transfer (EFT) no later than October 1, 2011 and existing Medicaid providers to transition to electronic billing and receive reimbursement via EFT no later than July 1, 2012, DMAS has implemented the Direct Data Entry (DDE) system. Providers can submit claims

quickly and easily via the Direct Data Entry (DDE) system. DDE will allow providers to submit Professional (CMS-1500), Institutional (UB-04) and Medicare Crossover claims directly to DMAS via the Virginia Medicaid Web Portal. Registration thru the Virginia Medicaid Web Portal is required to access and use DDE. The DDE User Guide, tutorial and FAQs can be accessed from our web portal at: [www.virginiamedicaid.dmas.virginia.gov](http://www.virginiamedicaid.dmas.virginia.gov). To access the DDE system, select the Provider Resources tab and then select Claims Direct Data Entry (DDE). Providers have the ability to create a new initial claim, as well as an adjustment or a void through the DDE process. The status of the claim(s) submitted can be checked the next business day if claims were submitted by 5pm. DDE is provided at no cost to the provider.

### **Timely Filing (Podiatry)**

The Medical Assistance Program regulations require the prompt submission of all claims. Virginia Medicaid is mandated by federal regulations [42 CFR § 447.45(d)] to require the initial submission of all claims (including accident cases) within 12 months from the date of service. Providers are encouraged to submit billings within 30 days from the last date of service or discharge. Federal financial participation is not available for claims, which **are not** submitted within 12 months from the date of the service. Submission is defined as actual, physical receipt by DMAS. In cases where the actual receipt of a claim by DMAS is undocumented, it is the provider's responsibility to confirm actual receipt of a claim by DMAS within 12 months from the date of the service reflected on a claim. If billing electronically and timely filing must be waived, submit the DMAS-3 form with the appropriate attachments. The DMAS-3 form is to be used by electronic billers for attachments. (See Exhibits) Medicaid is not authorized to make payment on these late claims, except under the following conditions:

**Retroactive Eligibility** - Medicaid eligibility can begin as early as the first day of the third month prior to the month of application for benefits. All eligibility requirements must be met within that time period. Unpaid bills for that period can be billed

to Medicaid the same as for any other service. If the enrollment is not accomplished in a timely way, billing will be handled in the same manner as for delayed eligibility.

**Delayed Eligibility** - Medicaid may make payment for services billed more than 12 months from the date of service in certain circumstances. Medicaid denials may be overturned or other actions may cause eligibility to be established for a prior period. Medicaid may make payment for dates of service more than 12 months in the past when the claims are for an enrollee whose eligibility has been delayed. It is the provider's obligation to verify the patient's Medicaid eligibility. Providers who have rendered care for a period of delayed eligibility will be notified by a copy of a letter from the local department of social services which specifies the delay has occurred, the Medicaid claim number, and the time span for which eligibility has been granted. The provider must submit a claim on the appropriate Medicaid claim form within 12 months from the date of the notification of the delayed eligibility. A copy of the "signed and dated" letter from the local department of social services indicating the delayed claim information must be attached to the claim.

**Denied claims** - Denied claims must be submitted and processed **on or before thirteen months from date of the initial denied claim where the initial claim was filed within the 12 months limit to be** considered for payment by Medicaid. The procedures for resubmission are:

- Complete invoice as explained in this billing chapter.
- **Attach** written documentation to justify/verify the explanation. This documentation may be continuous denials by Medicaid or any dated follow-up correspondence from Medicaid showing that the provider has actively been submitting or contacting Medicaid on getting the claim processed for payment. Actively pursuing claim payment is defined as documentation of contacting DMAS at least every six months. Where the provider has failed to contact DMAS for six months or more, DMAS shall consider the resubmission to be

untimely and no further action shall be taken. If billing electronically and waiver of timely filing is being requested, submit the claim with the appropriate attachments. (The DMAS-3 form is to be used by electronic billers for attachments. See exhibits)

**Accident Cases** - The provider may either bill Medicaid or wait for a settlement from the responsible liable third party in accident cases. However, all claims for services in accident cases must be billed to Medicaid within 12 months from the date of the service. If the provider waits for the settlement before billing Medicaid and the wait extends beyond 12 months from the date of the service, Medicaid shall make no reimbursement.

**Other Primary Insurance** - The provider should bill other insurance as primary. However, all claims for services **must be billed to Medicaid within 12 months from the date of the service**. If the provider waits for payment before billing Medicaid and the wait extends beyond 12 months from the date of the service, Medicaid shall make no reimbursements. If payment is made from the primary insurance carrier after a payment from Medicaid has been made, an adjustment or void should be filed at that time.

**Other Insurance** - The member can keep private health insurance and still be covered by Medicaid or FAMIS Plus. The other insurance plan pays first. Having other health insurance does not change the co-payment amount that providers can collect from a Medicaid member. For members with a Medicare supplemental policy, the policy can be suspended with Medicaid coverage for up to 24 months while the member has Medicaid without penalty from their insurance company. The members must notify the insurance company. The member must notify the insurance company within 90 days of the end of Medicaid coverage to reinstate the supplemental insurance.

**Submit the claim in the usual manner by mailing the claim to billing address noted in this chapter.**

### **Billing Invoices (Podiatry)**

The requirements for submission of billing information and the use of the appropriate billing invoice depend upon the type of service being rendered by the provider and/or the billing transaction being completed. Listed below is the billing invoice to be used for billing podiatry care services:

- Health Insurance Claim Form CMS-1500 (02-12)

### **(DMAS-31 R 05/06) BASIS OF PAYMENT**

A request for payment must be made under the Medicaid eligibility number of the person receiving the services and whose Medicaid eligibility number appears on the billing invoice.

Federal regulation 42 CFR 447.15 requires providers to accept Medicaid payment as payment in full for the service rendered. The provider may not bill DMAS or the member for the difference (if any) between the allowed charge and the provider's actual charge.

The provider must bill any other possibly liable third party prior to billing DMAS. DMAS will pay the difference between the Program's allowable fee and any payment made by another third party if that payment is less than the allowable fee.

When Medicare (Title XVIII) makes a payment for a provider's covered services, the provider may claim payment of any deductible and coinsurance amounts due from DMAS. However, he or she may not claim payment of the difference (if any)

between the Medicare-allowed fee and his or her actual fee for services. Also, Medicaid payments for Medicare Part B coinsurance are limited to the difference between Medicaid's maximum fee for a given procedure and 80 per cent of Medicare's allowance. The combined payments by Medicare and Medicaid will not exceed Medicaid's allowed charge for that procedure.

### **Billing for Anesthesia**

To bill for anesthesia, providers must use the CPT anesthesia codes. These codes can be found in the *Physicians' Current Procedural Terminology (CPT)* book.

### **Billing Procedures (Hospital)**

Hospitals and other practitioners must use the appropriate claim form or billing invoice when billing the Virginia Medicaid Program for covered services provided to eligible Medicaid enrollees. Each enrollee's services must be billed on a separate form.

The provider should carefully read and adhere to the following instructions so that claims can be processed efficiently. Accuracy, completeness, and clarity are important. Claims cannot be processed if applicable information is not supplied, in correct national form and format, or is illegible. Completed claims should be mailed to:

#### **Department of Medical Assistance Services**

P.O. Box 27443

Richmond, Virginia 23261-7443

Or

#### **Department of Medical Assistance Services**

CMS Crossover

P. O. Box 27444

Richmond, Virginia 23261-7444

### **Billing Instructions: Electronic Filing Requirements**

DMAS is fully compliant with 5010 transactions and will no longer accept 4010 transactions after March 30, 2012.

The Virginia MMIS will accommodate the following EDI transactions according to the specification

published in the Companion Guide version 5010

270/271 Health Insurance Eligibility Request/ Response Verification for Covered Benefits (5010)

276/277 Health Care Claim Inquiry to Request/ Response to Report the Status of a Claim (5010)

277 - Unsolicited Response (5010)

820 - Premium Payment for Enrolled Health Plan Members (5010)

834 - Enrollment/ Disenrollment to a Health Plan (5010)

835 - Health Care Claim Payment/ Remittance (5010)

837 - Dental Health Care Claim or Encounter (5010)

837 - Institutional Health Care Claim or Encounter (5010)

837 - Professional Health Care Claim or Encounter (5010)

NCPDP - National Council for Prescription Drug Programs Batch (5010)

NCPDP - National Council for Prescription Drug Programs POS (5010) Although not mandated by HIPAA, DMAS has opted to produce an Unsolicited 277 transaction to report information on pended claims.

All 5010/D.0 Companion Guides are available on the web portal:

<https://www.virginiamedicaid.dmas.virginia.gov/wps/portal/EDICompanionGuides> or contact EDI Support at 1-866-352-0766 or [Virginia.EDISupport@conduent.com](mailto:Virginia.EDISupport@conduent.com).

Although not mandated by HIPAA, DMAS has opted to produce an Unsolicited 277 transaction to report information on pended claims.

For providers that are interested in receiving more information about utilizing any of the above electronic transactions, your office or vendor can obtain the necessary information at our fiscal agent's website: <https://www.virginiamedicaid.dmas.virginia.gov>.

## **Billing Instructions: ClaimCheck**

- Effective June 3, 2013, DMAS implemented the Medicaid National Correct Coding Initiative (NCCI) Procedure to Procedure (PTP) and Medically Unlikely Edits (MUE) edits. This implementation was in response to directives in the Affordable Care Act of 2010. These new edits will impact all Physicians, Laboratory, Radiology, Ambulatory Surgery Centers, and Durable Medical Equipment and Supply providers. Effective January 1, 2014, all outpatient hospital claims will be subject to the NCCI edits thru the EAPG claim processing. Please refer to the Hospital Manual, Chapter 5 for details related to EAPG. The NCCI/ClaimCheck edits are part of the daily claims adjudication cycle on a concurrent basis. The current claim will be processed to edit history claims. Any adjustments or denial of

payments from the current or history claim(s) will be done during the daily adjudication cycle and reported on the providers weekly remittance cycle. All NCCI/ClaimCheck edits are based on the following global claim factors: same member, same servicing provider, same date of service or the date of service is within established pre- or post-operative time frame. All CPT and HCPCS code will be subject to both the NCCI and ClaimCheck edits. Upon review of the denial, the provider can re-submit a corrected claim. Any system edits related to timely filing, etc. are still applicable.

- PTP Edits:

CMS has combined the Medicare Incidental and Mutually Exclusive edits into a new PTP category. The PTP edits define pairs of CPT/HCPCS codes that should not be reported together. The PTP codes utilize a column one listing of codes to a column two listing of codes. In the event a column one code is billed with a column two code, the column one code will pay, the column two code will deny. The only exception to the PTP is the application of an accepted Medicaid NCCI modifier. **Note:** Prior to this implementation, DMAS modified the CCI Mutually Exclusive edit to pay the procedure with the higher billed charge. This is no longer occurring, since CMS has indicated that the code in column one is to be paid regardless of charge.

- MUE Edits:

DMAS implemented the Medicaid NCCI MUE edits. These edits define for each CPT/HCPCS code the maximum units of service that a provider would report under most circumstances for a single member on a single date of service and by same servicing provider. The MUEs apply to the number of units allowed for a specific procedure code, per day. If the claim units billed exceed the per day allowed, the claim will deny. With the implementation of the MUE edits, providers must bill any bilateral procedure correctly. The claim should be billed with one unit and the 50 modifier. The use of two units will subject the claim to the MUE, potentially resulting in a denial of the claim. Unlike the current ClaimCheck edit which denies the claim and creates a claim for one unit, the Medicaid NCCI MUE edit will deny the entire claim.

- Exempt Provider Types:

DMAS has received approval from CMS to allow the following provider types to be exempt from the Medicaid NCCI editing process. These providers are: Community Service Boards (CSB), Federal Health Center (FQHC), Rural Health Clinics (RHC), Schools and Health Departments. These are the only providers exempt from the NCCI/editing process. All other providers billing on the CMS 1500 will be subject to these edits.

- Service Authorizations:

DMAS has received approval from CMS to exempt specific CPT/HCPCS codes which require a valid service authorization. These codes are exempt from the MUE edits however, they are still subject to the PTP and ClaimCheck edits.

- Modifiers:

Prior to this implementation, DMAS allowed claim lines with modifiers 24, 25, 57, 59 to bypass the CCI/ClaimCheck editing process. With this implementation, DMAS now only allows the Medicaid NCCI associated modifiers as identified by CMS for the Medicaid NCCI. The modifier indicator currently applies to the PTP edits. The application of this modifier is determined by

the modifier indicator of “1” or “0” in the listing of the NCCI PTP column code. If the column one, column two code combination has a modifier indicator of “1”, a modifier is allowed and both codes will pay. If the modifier indicator is “0”, the modifier is not allowed and the column two code will be denied. The MUE edits do not contain a modifier indicator table on the edit table. Per CMS, modifiers may only be applied if the clinical circumstances justify the use of the modifier. A provider cannot use the modifier just to bypass the edit. The recipient’s medical record **must** contain documentation to support the use of the modifier by clearly identifying the significant, identifiable service that allowed the use of the modifier. DMAS or its agent will monitor and audit the use of these modifiers to assure compliance. These audits may result in recovery of overpayment(s) if the medical record does not appropriately demonstrate the use of the modifiers.

Modifiers that may be used under appropriate clinical circumstances to bypass an NCCI PTP edit include: E1 -E4, FA, F1 - F9, TA T1 - T9, LT, RT, LC, LD, RC, LM, RI, 24, 25, 57, 58, 78, 79, 27, 59, 91. Modifiers 22, 76 and 77 are not Medicaid PTP NCCI approved modifiers. If these modifiers are used, they will not bypass the Medicaid PTP NCCI edits.

### **Reconsideration**

Providers that disagree with the action taken by a ClaimCheck/NCCI edit may request a reconsideration of the process via email ([ClaimCheck@dmas.virginia.gov](mailto:ClaimCheck@dmas.virginia.gov)) or by submitting a request to the following mailing address:

Payment Processing Unit, Claim Check  
Division of Program Operations  
Department of Medical Assistance Services  
600 East Broad Street, Suite 1300  
Richmond, Virginia 23219

There is a 30-day time limit from the date of the denial letter or the date of the remittance advice containing the denial for requesting reconsideration. A review of additional documentation may sustain the original determination or result in an approval or denial of additional day(s). Requests received without additional documentation or after the 30-day limit will not be considered.

### **Billing Instructions: Special Billing Instructions -- Client Medical Management Program**

The primary care provider (PCP) and any other provider who is part of the PCP’S CMM Affiliation Group bills for services in the usual manner, but other physicians must follow special billing instructions to receive payment. (Affiliation Groups are explained in Chapter 1 under CMM.) Other physicians must indicate a PCP referral or an emergency unless the service is excluded from the requirement for a referral. Excluded services are listed in Chapter I.

All services should be coordinated with the primary health care provider whose name is provided at the time of verification of eligibility. The CMM PCP referral does not override Medicaid service

limitations. All DMAS requirements for reimbursement, such as preauthorization, still apply as indicated in each provider manual.

When treating a restricted enrollee, a physician covering for the primary care provider or on referral from the primary care provider must place the primary care provider's NPI in locator 17b or the API in Locator 17a with the qualifier '1D' and attach a copy of the Practitioner Referral Form (DMAS-70) to the invoice. The name of the referring PCP must be entered in locator 17.

In a medical emergency situation, if the practitioner rendering treatment is not the primary care physician, he or she must certify that a medical emergency exists for payment to be made. The provider must enter a "Y" in Locator 24C and attach an explanation of the nature of the emergency.

### **LOCATOR SPECIAL INSTRUCTIONS**

**10d** Write "ATTACHMENT" for the Practitioner Referral Form, DMAS-70.

**17** Enter the name of the referring primary care provider.

**17a** When a restricted enrollee is treated on referral from the primary physician, **red shaded** enter the qualifier '1D' and the appropriate provider number (current Medicaid or an API) (as indicated on the DMAS-70 referral form) and attach a copy of the Practitioner Referral Form to the invoice. Write "ATTACHMENT" in Locator 10d.

**Note:** Please refer to the time line for the appropriate provider number as indicated in main instruction above.

**17b** When a restricted enrollee is treated on referral from the primary physician, **open** enter the NPI number (as indicated on the DMAS-70 referral form) and attach a copy of the Practitioner Referral Form to the invoice. Write "ATTACHMENT" in Locator 10d.

**Note:** This locator can only be used for claims received on or after March 26, 2007.

**24C** When a restricted enrollee is treated in an emergency situation by a provider other than the primary physician, the non-designated physician enters a "Y" in this Locator and explains the nature of the emergency in an attachment. Write "ATTACHMENT" in Locator 10d.

### **Invoice Processing (PP)**

The Medicaid invoice processing system utilizes a sophisticated electronic system to process Medicaid claims. Once a claim has been received, imaged, assigned a crossreference number, and entered into the system, it is placed in one of the following categories:

- Remittance Voucher
- **Approved** - Payment is approved or Pended. Pended claims are placed in a pended status

for manual adjudication (the provider must not resubmit).

- **Denied** - Payment cannot be approved because of the reason stated on the remittance voucher.
- **Pend** - Payment is pended for claim to be manually reviewed by DMAS staff or waiting on further information from provider.
- **NO RESPONSE** - if one of the above responses has not been received within 30 days, the provider should assume non-delivery and rebill using a new invoice form.

The provider's failure to follow up on these situations does not warrant individual or additional consideration for late billing.

**Please use this link to search for DMAS Forms:**

<https://www.virginiamedicaid.dmas.virginia.gov/wps/portal/ProviderFormsSearch>

## Utilization Review and Control (Podiatry)

Updated: 12/16/2015

Under the provisions of federal regulations, the Medical Assistance Program must provide for continuing review and evaluation of the care and services paid through Medicaid, including review of utilization of the services of providers and by recipients. This function is handled by the Division of Program Compliance of the Department of Medical Assistance Services.

Provider and recipient utilization patterns to be reviewed are identified either from computerized exception reports or by referrals from agencies or individuals. Computerized exception reports for providers are developed by comparing an individual provider's billing activities with those of the provider peer group. Exception reports for recipients are developed by comparing individual recipient's medical services utilization with those of the recipient peer group. For recipients and providers who exceed the peer group averages by at least two standard deviations, an exception report for this activity is generated.

To ensure a thorough and fair review, trained professionals employed by DMAS review all cases utilizing available resources, including appropriate consultants, and make on-site reviews of medical records as necessary.

The use of statistical sampling is recognized as a valid basis for findings of fact in the context of Medicaid reimbursement. The Department utilizes a scientific random sample of paid claims for a

15-month audit period to calculate any excess payment. The number and amount of invalid dollars paid in the audit sample is compared to the total number and amount of dollars paid for the same time period, and the total amount of the overpayment is estimated from this sample.

Providers will be required to refund payments made by Medicaid if they are found to have billed Medicaid contrary to policy, failed to maintain any record or adequate documentation to support their claims, or billed for medically unnecessary services. In addition, due to the provision of poor quality services or of any of the above problems, Medicaid may limit, suspend, or terminate the provider's participation agreement.

Providers selected for review will be contacted directly by DMAS personnel with detailed instructions. This will also apply when information is requested about a recipient or when a recipient is restricted to the physician and/or pharmacy of his choice because of misutilization of Medicaid services.

### **Financial Review and Verification (Podiatry)**

The purpose of financial review and verification of services is to ensure that the provider bills only for those services that have been provided in accordance with DMAS policy and that are covered under the Virginia Medical Assistance programs and services. Any paid provider claim that cannot be verified at the time of review cannot be considered a valid claim for services provided, and is subject to retraction.

### **Client Medical Management Program**

The Department of Medical Assistance Services (DMAS) is required by 42 CFR 456.3, Subpart A, to implement a statewide surveillance and utilization control program.

#### Recipient Restriction

The Client Medical Management Program for recipients is a utilization control program designed to promote proper medical management of essential health care and, at the same time, promote cost efficiency. Federal regulations in 42 CFR 431.54 (e) allow states to restrict recipients to designated providers when the recipients have utilized services at a frequency or amount that is not medically necessary. State regulations in VR 460-04-8.3 allow DMAS to institute procedures to control excessive and inappropriate utilization of services by Medicaid recipients. Restricted recipients are identified and managed by the Recipient Monitoring Unit in the Division of Program Compliance.

Under the Client Medical Management Program, Medicaid will pay for covered outpatient medical and pharmaceutical services only when they are provided by the designated providers, by physicians seen on written referral from the designated primary health care provider (including covering physicians), and in a medical emergency. A medical emergency

means that a delay in obtaining treatment may cause death or lasting injury or harm to the recipient.

Prescriptions may be filled by a non-designated pharmacy only in urgent situations (e.g., insulin or cardiac medications) or when the designated pharmacy is closed, does not stock, or is unable to obtain the drug. Payment for covered outpatient services will be denied in all other instances, and the recipient may be billed for the services. The primary care providers bill Medicaid in the usual manner, but non-designated providers must follow special billing instructions (see Billing Instructions in Chapter V).

Recipients placed in the restriction program receive a letter explaining the recipient/provider relationships under medical management. They are given directions for completing and returning the Recipient/Primary Provider Agreement form to the Recipient Monitoring Unit. Recipients are asked to select a primary health care provider who will provide routine medical care and make medically necessary referrals to specialists. They must also select one pharmacy to fill their prescriptions. The recipient and the provider must mutually agree upon the relationship and sign the agreement form. If the recipient does not select a primary health care provider and pharmacy, designated providers will be selected by the Recipient Monitoring Unit.

Restriction is for 18 months. The restricted recipient receives an individual Medicaid card with the names and DMAS provider numbers of the designated primary health care provider and designated pharmacy printed on it. The recipient or designated provider may initiate a request for a change of a designated provider by contacting the Recipient Monitoring Unit. All changes must be preauthorized by DMAS.

#### Provider Restriction

Federal regulations in 42 CFR 431.54 (f) allow states to restrict providers from participation in the Medicaid Program when the provider has provided items or services at a frequency or amount not medically necessary or has provided items or services of a quality that does not meet professionally recognized standards of health care. State regulations in VR 460-04-8.3 allow DMAS to restrict providers' participation as designated providers for restricted recipients when a provider has billed services at a frequency or level exceeding that which is medically necessary or when a provider's license to practice has been revoked or suspended in Virginia by the appropriate licensing board.

Any pharmacy enrolled as a community pharmacy billing on the Daily Drug Claim Ledger

may serve as a designated pharmacy unless the pharmacy has been notified by DMAS that it may not serve as a designated provider.

Any physician enrolled as an individual practitioner may serve as a designated primary care provider except when:

- The physician's practice is limited to the delivery of emergency room services; or
- The physician has been notified by DMAS that he or she may not serve as a designated provider.

Provider restriction is for 18 months. Providers may appeal any proposed restriction in accordance with the Code of Virginia, Section 9-6.14:11 et seq., as discussed in Chapter II of this manual. Restriction is not implemented pending the result of a timely appeal request.

## **Fraudulent Claims (Podiatry)**

Fraud means an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or some other person. It includes any act that constitutes fraud under applicable federal or State law.

Since payment of claims is made from both State and federal funds, submission of false or fraudulent claims, statements, or documents or the concealment of a material fact may be prosecuted as a felony in either federal or State court. The Program maintains records for identifying situations in which there is a question of fraud and refers appropriate cases to the Office of the Attorney General for Virginia, the United States Attorney General, or the appropriate law enforcement agency.

### Provider Fraud

The provider is responsible for reading and adhering to applicable State and federal regulations and to the requirements set forth in this manual. The provider is also responsible for ensuring that all employees are likewise informed of these regulations and requirements. The provider certifies by his signature or the signature of his authorized

agent on each invoice that all information provided the Department of Medical Assistance Services is true, accurate, and complete. Although claims may be prepared and submitted by an employee, providers will still be held responsible for ensuring their completeness and accuracy.

Repeated billing irregularities or possible unethical billing practices by a provider should be reported to the following address, in writing, and with appropriate supportive evidence:

Supervisor, Provider Review Unit Division of  
Program Compliance

Department of Medical Assistance Services 600 E.  
Broad Street, Suite 1300

Richmond, Virginia 23219

Investigations of allegations of provider fraud are the responsibility of the Medicaid Fraud Control Unit in the Office of the Attorney General for Virginia. Provider records are available to personnel from that unit for investigative purposes. Referrals are to be made to:

Director, Medicaid Fraud Control Unit Supreme  
Court Building

101 North Eighth Street Richmond,  
Virginia 23219

#### Recipient Fraud

Investigations of allegations of recipient fraud are the responsibility of the Medicaid Recipient Fraud Unit, Division of Program Compliance, of the Department of Medical Assistance Services. Recipient records are available to personnel from that unit for investigative purposes. Referrals should be made to:

Recipient Fraud and Recovery Unit Division of  
Program Compliance Department of Medical  
Assistance Services 600 East Broad Street, Suite  
1300

Richmond, Virginia 23219

## Appendix C (Podiatry)

Updated: 10/1/2000

The codes listed in this appendix are the only codes which DMAS will cover for podiatry. (Refer to CPT-4 for complete definitions and guidelines to the use of CPT codes.)

### Multiple Source Drugs with HCFA Upper Limits

The Health Care Financing Administration (HCFA) continually revises the maximum allowed drug cost payments for multiple source drugs. A list identifying the multiple source drugs by generic name and the commonly known brand name products with the revised HCFA Upper Limits is available upon request by calling the Medicaid "HELPLINE". The revisions and additions are identified for pharmacy providers in attachments to the monthly report listing HCFA Upper Limits and Virginia/MAC Costs.

### Evaluation and Management Services

- 99201** -Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a problem focused history; a problem focused examination; and straightforward medical decision making
  
- 99202** -Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: an expanded problem focused history; an expanded problem focused examination; and straightforward medical decision making
  
- 99203** -Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a detailed history; a detailed examination; and medical decision making of low complexity
  
- 99211** - Office or other outpatient visit for the evaluation and management of an established patient, that may not require the presence of a physician. Usually, the presenting problem(s) are minimal. Typically, 5 minutes are spent performing or supervising these services

**99212** -Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: a problem focused history; a problem focused examination; straightforward medical decision making

**99213** -Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: an expanded problem focused history; an expanded problem focused examination; medical decision making of low complexity

**99217** - Observation care discharge day management

**99218** - Initial observation care, per day, for the evaluation and management of a patient which requires these three key components: a detailed or comprehensive history; a detailed or

comprehensive examination; and medical decision making that is straightforward or of low complexity

**99221** - Initial hospital care, per day, for the evaluation and management of a patient which requires these three key components: a detailed or comprehensive history; a detailed or comprehensive examination; and medical decision making that is straightforward or of low complexity

**99222** - Initial hospital care, per day, for the evaluation and management of a patient which requires these three key components: a comprehensive history; a comprehensive examination; and medical decision making of moderate complexity.

**99231** - Subsequent hospital care, per day, for the evaluation and management of a patient, which requires at least two of these three key components: a problem focused interval history; a problem focused examination; and medical decision making that is straightforward or of low complexity

**99232** - Subsequent hospital care, per day, for the evaluation and management of a patient, which requires at least two of these three key components: an expanded problem focused interval history; an expanded problem focused examination; and medical decision making of moderate complexity

**99238** - Hospital discharge day management; 30 minutes or less

**99241** - Office consultation for a new or established patient, which requires these three key components: a problem focused history; a problem focused examination; and straightforward medical decision making

**99242** - Office consultation for a new or established patient, which requires these three key components: an expanded problem focused history; an expanded problem focused examination; and straightforward medical decision making

**99251** - Initial inpatient consultation for a new or established patient, which requires these three key components: a problem focused history; a problem focused examination; and straightforward medical decision making

**99252** - Initial inpatient consultation for a new or established patient, which requires these three key components: an expanded problem focused history; an expanded problem focused examination; and straightforward medical decision making

**99261** - Follow-up inpatient consultation for an established patient, which requires at least two of these three key components: a problem focused interval history; a problem focused examination; medical decision making that is straightforward or of low complexity

**99262** - Follow-up inpatient consultation for an established patient which requires at least two of these three key components: an expanded problem focused interval history; an expanded problem focused examination; medical decision

making of moderate complexity

**99281** - Emergency department visit for the evaluation and management of a patient, which requires these three key components: a problem focused history; problem focused examination; and straightforward medical decision making

**99282** - Emergency department visit for the evaluation and management of a patient, which requires these three key components: an expanded problem focused history; an expanded problem focused examination; and medical decision making of low complexity

**99283** - Emergency department visit for the evaluation and management of a patient, which requires these three key components: an expanded problem focused history; an expanded problem focused examination; and medical decision making of moderate complexity

**99301** - Evaluation and management of a new or established patient involving an annual nursing facility assessment which requires these three key components: a detailed interval history; a comprehensive examination; and medical decision making that is straightforward or of low complexity

**99302** - Evaluation and management of a new or established patient involving a nursing facility assessment which requires these three key components: a detailed interval history; a comprehensive examination; and medical decision making of moderate to high complexity

**99311** -Subsequent nursing facility care, per day, for the evaluation and management of a new or established patient, which requires at least two of these three components: a problem focused interval history; a problem focused examination; and medical decision making that is straightforward or of low complexity

**99312** -Subsequent nursing facility care, per day, for the evaluation and

management of a new or established patient, which requires at least two of these three components: an expanded problem focused interval history; an expanded problem focused examination; and medical decision making of moderate complexity

**99321** -Domiciliary or rest home visit for the evaluation and management of a new patient which requires these three key components: a problem focused history; a problem focused examination; and medical decision making that is straightforward or of low complexity

**99322** -Domiciliary or rest home visit for the evaluation and management of a new patient which requires these three key components: a expanded problem focused history; an expanded problem focused examination; and medical decision making of moderate complexity

**99331** -Domiciliary or rest home visit for the evaluation and management of an established patient, which requires at least two of these three key components: a problem focused interval history; a problem focused examination; and medical decision making that is straightforward or of low complexity

**99332** -Domiciliary or rest home visit for the evaluation and management of an established patient, which requires at least two of these three key components: an expanded problem focused interval history; an expanded problem focused examination; and medical decision making of moderate complexity

**99341** - Home visit for the evaluation and management of a new patient, which requires these three key components: a problem focused history; a problem focused examination; and straightforward medical decision making

**99342** - Home visit for the evaluation and management of a new patient, which requires these three key components: an expanded problem focused history; an expanded problem focused examination; and medical decision making of low complexity

**99347** - Home visit for the evaluation and management of an established patient, which requires at least two of these three key components: a problem focused interval history; a problem focused examination; and straightforward medical decision making

**99348** - Home visit for the evaluation and management of an established patient, which requires at least two of these three key components: an expanded problem focused interval history; an expanded problem focused examination; and medical decision making of low complexity

## Supplies

**99070** -Supplies and materials (except spectacles), provided by the physician over and above those usually included with the office visit or other services rendered (list drugs, supplies, or materials provided)\*

\* When using this code, enter "ATTACHMENT" in Locator 10-D of the HCFA-1500 claim form, and attach a description of the item and the invoice documenting the actual cost of the item. Routine supplies (e.g., gauze, tape, culture plates) are included in the office visit fee.

The 99070 code should be used in place of the 00020 code that is currently listed in the Podiatry Manual.

## Administrative Services

**99000** - Handling and/or conveyance of specimens for transfer from the physician's office to a laboratory

**36415** - Routine venipuncture or finger/heel/ear stick for the collection of specimen(s)

## Surgery (Services are limited strictly to treatment of foot/ankle)

**10060** -Incision and drainage of abscess (eg, carbuncle, suppurative hidradenitis, cutaneous or subcutaneous abscesses, cyst, furuncle, or paronychia); simple

or single

**10061** - complicated or multiple

**10120** - Incision and removal of foreign body, subcutaneous tissues; simple

**10121** - complicated

**10140** - Incision and drainage of hematoma, seroma or fluid collection

**10160** - Puncture aspiration of abscess, hematoma, bulla, or cyst

**10180** - Incision and drainage , complex, postoperative wound infection

**11000** - Debridement of extensive eczematous or infected skin; up to 10% of body surface

**11040** - Debridement; skin, partial thickness

**11041** - skin, full thickness

**11042** - skin, and subcutaneous tissue

**11043** - skin, subcutaneous tissue, and muscle

**11044** - skin, subcutaneous tissue, muscle, and  
bone

**11055** - Paring or cutting of benign hyperkeratotic lesion (eg, corn or callus ); single lesion.

**11056** - two to four lesions

**11057** - more than four lesions

**11100** - Biopsy of skin, subcutaneous tissue and/or mucous membrane (including simple closure), unless otherwise listed (separate procedure); single lesion

**11101** - each separate/additional lesion

**11305** - Shaving of epidermal or dermal lesion, single lesion, scalp, neck, hands, feet, genitalia; lesion diameter 0.5 cm or less

**11306** - lesion diameter 0.6 to 1.0 cm

**11307** - lesion diameter 1.1 to 2.0 cm

**11308** - lesion diameter over 2.0 cm

**11420** -Excision, benign lesion, except skin tag (unless listed elsewhere), scalp, neck, hands, feet, genitalia; lesion diameter 0.5 cm or less

**11421** - lesion diameter 0.6 to 1.0 cm

**11422** - lesion diameter 1.1 to 2.0 cm

**11423** - lesion diameter 2.1 to 3.0 cm

**11424** - lesion diameter 3.1 to 4.0 cm

**11426** - lesion diameter over 4.0 cm

**11620** - Excision, malignant lesion, scalp, neck, hands, feet, genitalia; lesion diameter 0.5 cm or less

**11621** - lesion diameter 0.6 to 1.0 cm

**11622** - lesion diameter 1.1 to 2.0 cm

**11623** - lesion diameter 2.1 to 3.0 cm

**11624** - lesion diameter 3.1 to 4.0 cm

**11626** - lesion diameter over 4.0 cm

**11719** - Trimming of nondystrophic nails, any number

**11720** - Debridement of nail(s) by any method(s); one to five

**11721** - six or more

**11730** - Avulsion of nail plate, partial or complete, simple; single

**11731** - second nail plate

**11732** - each additional nail plate

**11750** -Excision of nail and nail matrix, partial or complete (eg, ingrown or deformed nail) for permanent removal;

**11752** - with amputation of tuft of distal phalanx

**11755** - Biopsy of nail unit, any method (eg, plate , bed, matrix, hyponychium, proximal and lateral nail folds) (separate procedure)

**11760** - Repair of nail bed

**11762** - Reconstruction of nail bed with graft

**11765** - Wedge resection of skin of nail fold (eg, for ingrown toenail)

**11900** - Injection, intralesional: up to and including seven lesions

**11901** - more than seven lesions

**12001** - Simple repair of superficial wounds of scalp, neck, axillae, external genitalia, trunk and/or extremities (including hands and feet); 2.5 cm or less

**12002** - 2.6 cm to 7.5 cm

**12004** - 7.6 cm to 12.5 cm

**12005** - 12.6 cm to 20.0 cm

**12006** - 20.1 cm to 30.0 cm

**12007** - over 30.0 cm

**12020** - Treatment of superficial wound dehiscence; simple closure

**12021** - with packing

**12041** - Layer closure of wounds of neck, hands, feet and/or external genitalia; 2.5 cm or less

**12042** - 2.6 cm to 7.5 cm

**12044** - 7.6 cm to 12.5 cm

**12045** - 12.6 cm to 20.0 cm

**12046** - 20.1 cm to 30.0 cm

**12047** - over 30.0 cm

**13131** - Repair, complex, forehead, cheeks, chin, mouth, neck, axillae, genitalia, hands and/or feet;

1.1 cm to 2.5 cm

**13132** - 2.6 cm to 7.5 cm

**13160** - Secondary closure of surgical wound or dehiscence, extensive or complicated

**13300** - Repair, unusual, complicated, over 7.5 cm, any area

**14040** - Adjacent tissue transfer or rearrangement, forehead, cheeks, chin, mouth, neck, axillae, genitalia, hands and/or feet; defect 10 sq. cm or less

**14041** - defect 10.1 sq. cm to 30 sq. cm

**14300** - Adjacent tissue transfer or rearrangement, more than 30 sq cm, unusual or complicated, any area

**14350** - Filleted finger or toe flap, including preparation of recipient site

**15000** -Excisional preparation or creation of recipient site by excision of essentially intact skin (including subcutaneous tissues), scar, or other lesion prior to

repair with free skin graft (list as a separate service in addition to the skin graft)

**15050** - Pinch graft, single or multiple, to cover small ulcer, tip of digit, or other minimal open area (except on face), up to defect size 2 cm diameter

**15100** - Split graft, trunk, scalp, arms, legs, hands, and/or feet (except multiple digits); 100 sq. cm or less, or each one percent of body area of infants and children (except 15050)

**15120** - Split graft, face, eyelids, mouth, neck, ears, orbits, genitalia, and/or multiple digits; 100 sq cm or less, or each one percent of body area of infants and children (except 15050)

**15240** - Full thickness graft, free, including direct closure of donor site, forehead, cheeks, chin, mouth, neck, axillae, genitalia, hands, and/or feet; 20 sq. cm or less

**15241** - each additional 20 sq  
cm

**15350** - Application of allograft, skin

**15400** - Application of xenograft, skin

**15574** -Formation of direct or tubed pedicle, with or without transfer; forehead, cheeks, chin, mouth, neck, axillae, genitalia, hands or feet

**15620** - Delay of flap or sectioning of flap (division and inset); at forehead, cheeks, chin, neck, axillae, genitalia, hands (except 15625), or feet

**15738** - Muscle, myocutaneous, or fasciocutaneous flap; lower extremity

**15740** - Flap; island pedicle

**15750** - neurovascular pedicle

**15770** - Graft; derma-fat-fascia

**15839** - Excision, excessive skin and subcutaneous tissue (including lipectomy); other area

**15850** - Removal of sutures under anesthesia (other than local), same surgeon

**15851** - Removal of sutures under anesthesia (other than local), other surgeon

**15852** - Dressing change (for other than burns) under anesthesia (other than local)

**16000** - Initial treatment, first degree burn, when no more than local treatment is required

**16010** - Dressings and/or debridement, initial or subsequent; under anesthesia, small

**16015** - under anesthesia, medium or large, or with major debridement

**16020** - without anesthesia, office or hospital, small

**16025** - without anesthesia, medium (eg, whole face or whole extremity)

**16030** - without anesthesia, large (eg, more than one extremity)

**17000** - Destruction by any method, including laser, with or without surgical curettement, all benign or premalignant lesions (eg, actinic keratoses) other than skin tags or cutaneous vascular proliferative lesions, including local anesthesia; first lesion

**17003** - second through 14 lesions, each

**17004** - 15 or more lesions

**17110** - Destruction by any method of flat warts, molluscum contagiosum, or milia; up to 14 lesions

**17111** - 15 or more lesions

**17250** - Chemical cauterization of granulation tissue (proud flesh, sinus or fistula)

**17270** - Destruction, malignant lesion, any method, scalp, neck, hands, feet, genitalia; lesion diameter

0.5 cm or less

**17271** - lesion diameter 0.6 to 1.0 cm

**17272** - lesion diameter 1.1 to 2.0 cm

**17273** - lesion diameter 2.1 to 3.0 cm

**17274** - lesion diameter 3.1 to 4.0 cm

**17276** - lesion diameter over 4.0 cm

**20000** - Incision of soft tissue abscess (eg, secondary to osteomyelitis); superficial

**20005** - deep or complicated

**20200** - Biopsy, muscle;

superficial

**20205** - deep

**20206** - Biopsy, muscle, percutaneous needle

**20520** - Removal of foreign body in muscle or tendon sheath; simple

**20525** - deep or complicated

**20550** - Injection, tendon sheath, ligament, trigger points or ganglion cyst

**20600** - Arthrocentesis, aspiration, and/or injection; small joint, bursa or ganglion cyst (eg, fingers, toes)

**20605** - intermediate joint, bursa or ganglion cyst (eg, temporomandibular, acromioclavicular, wrist, elbow or ankle, olecranon bursa)

**20615** - Aspiration and injection for treatment of bone cyst

**20650** - Insertion of wire or pin with application of skeletal traction, including removal (separate procedure)

**20670** - Removal of implant; superficial (eg, buried wire, pin, or rod)

**20680** - deep (eg, buried wire, pin, screw, metal band, nail, rod or plate)

**20690** - Application of a uniplane (pins or wires in one plane), unilateral, external fixation system

**20900** - Bone graft, any donor area; minor or small (eg, dowel or button)

**20922** - Fascia lata graft; by incision and area exposure, complex or sheet

**20924** - Tendon graft, from a distance (eg, palmiris, toe extensor, plantaris)

**20926** - Tissue grafts, other (eg, paraton, fat, dermis)

**20950** -Monitoring of interstitial fluid pressure (includes insertion of device, eg, wick catheter technique, needle manometer technique) in detection of muscle compartment syndrome

**20962** - Bone graft with microvascular anastomosis; other than fibula, iliac crest, or metatarsal

**20972** - Free osteocutaneous flap with microvascular anastomosis; metatarsal

**20973** - great toe with web space

**20974** - Electrical stimulation to aid bone healing; noninvasive (nonoperative)

**27602** - Decompression fasciotomy, leg; anterior and/or lateral, and posteior compartment(s)

**27603** - Incision and drainage, leg or ankle, deep abscess or hematoma

**27604** - infected bursa

**27605** - Tenotomy, Achilles tendon, subcutaneous; local anesthesia

**27606** - general anesthesia

**27607** - Incision, deep, with opening of bone cortex (eg, for osteomyelitis or bone abscess), leg or ankle

**27610** - Arthrotomy, ankle, for infection, with exploration, drainage or removal of foreign body

**27612** - Arthrotomy, ankle, posterior capsular release, with or without Achilles tendon lengthening

**27613** - Biopsy, soft tissue of leg or ankle area; superficial

**27614** - deep

**27615** - Radical resection of tumor (eg, malignant neoplasm), soft tissue of leg or ankle area

**27618** - Excision, tumor, leg or ankle area; subcutaneous

**27619** - deep, subfascial or intramuscular

**27620** - Arthrotomy, ankle, with joint exploration, with or without biopsy, with or without removal of loose or foreign body

**27625** - Arthrotomy, ankle, with synovectomy

**27640** - Partial excision (craterization, saucerization, or diaphysectomy) of bone (eg, for osteomyelitis or exostosis); tibia

**27641** - fibula

**27645** - Radical resection of tumor, bone; tibia

**27647** - Radical resection of tumor, talus or calcaneus

**27650** - Repair, primary, open or percutaneous, ruptured Achilles tendon;

**27652** -           with graft (including obtaining graft)

**27654** - Repair, secondary, ruptured Achilles tendon, with or without graft

**27658** - Repair or suture of flexor tendon of leg; primary, without graft, single, each

**27659** -           secondary with or without graft, single tendon, each

**27664** - Repair or suture of extensor tendon of leg; primary, without graft, single, each

**27665** -           secondary with or without graft, single tendon,  
each **27675** - Repair for dislocating peroneal tendons; without  
fibular osteotomy **27676** -   with fibular osteotomy

**27680** - Tenolysis, including tibia, fibula, and ankle flexor; single

**27681** -           multiple (through same incision), each

**27685** - Lengthening or shortening of tendon, leg or ankle; single (separate procedure)

**27686** - Multiple (through same incision), each

**27690** - Transfer or transplant of single tendon (with muscle redirection or rerouting); superficial (eg, anterior tibial extensors into midfoot)

**27691** - deep (eg, anterior tibial or posterior tibial through interosseous space, flexor digitorum longus, flexor hallicus longus, or peroneal tendon to midfoot or hindfoot)

**28001** - Incision and drainage, infected bursa, foot

**28002** -Deep dissection below fascia, for deep infection of foot, with or without tendon sheath involvement; single bursal space, specify

**28003** - multiple areas.

**28005** - Incision, deep, with opening of bone cortex (eg, for osteomyelitis or bone abscess), foot

**28008** - Fasciotomy, foot and/or toe

**28010** - Tenotomy, subcutaneous, toe; single

**28011** - multiple

**28020** -Arthrotomy, with exploration, drainage, or removal of loose or foreign body; intertarsal or tarsometatarsal joint

**28022** - metatarsophalangeal joint

**28024** - interphalangeal joint

**28030** - Neurectomy of intrinsic musculature of foot

**28035** - Tarsal tunnel release (posterior tibial nerve decompression)

**28043** - Excision, tumor, foot; subcutaneous

**28045** - deep, subfascial, intramuscular

**28046** - Radical resection of tumor (eg, malignant neoplasm), soft tissue of foot

**28050** - Arthrotomy for synovial biopsy; intertarsal or tarsometatarsal joint

**28052** - metatarsophalangeal joint

**28054** - interphalangeal joint

**28060** - Fasciectomy, excision of plantar fascia, partial (separate procedure)

**28062** - radical (separate procedure)

**28070** - Synovectomy; intertarsal or tarsometatarsal joint, each

**28072** - metatarsophalangeal joint, each

**28080** - Excision of interdigital (Morton) neuroma, single, each

**28086** - Synovectomy, tendon sheath, foot; flexor

**28088** - extensor

**28090** - Excision of lesion of tendon or fibrous sheath or capsule (including synovectomy) (cyst or ganglion); foot

**28092** - toes

**28100** - Excision or curettage of bone cyst or benign tumor, talus or calcaneus

**28103** - with allograft

**28104** - Excision or curettage of bone cyst or benign tumor, tarsal or metatarsal bones, except talus or calcaneus

**28107** - with allograft

**28108** - Excision or curettage of bone cyst or benign tumor, phalanges of foot

**28110** - Osteotomy, partial excision, fifth metatarsal head (bunionette)

**28111** - Osteotomy; complete excision; first metatarsal head

**28112** - other metatarsal head (second, third, or fourth)

**28113** - fifth metatarsal head

**28114** - all metatarsal heads, with partial proximal phalangectomy, excluding first metatarsal (Clayton type procedure)

**28116** - Ostectomy, excision of tarsal coalition

**28118** - Ostectomy, calcaneus

**28119** - for spur, with or without plantar fascial release

**28120** - Partial excision (craterization, saucerization, sequestrectomy, or diaphysectomy) of bone (eg, for osteomyelitis or tarsal bossing), talus or calcaneus

**28122** - Partial excision (craterization, saucerization, or diaphysectomy) of bone (eg, for osteomyelitis or tarsal bossing), tarsal or metatarsal bone, except talus or calcaneus

**28124** - Partial excision (craterization, saucerization, or diaphysectomy) of bone (eg, for osteomyelitis or dorsal bossing) phalanx of toe

**28126** - Resection, partial or complete, phalangeal base, single toe, each

**28130** - Talectomy (astragalectomy)

**28140** - Metatarsectomy

**28150** - Phalangectomy of toe, single, each

**28153** - Resection, head of phalanx, toe

**28160** - Hemiphalangectomy or interphalangeal joint excision, toe, single, each

**28171** - Radical resection of tumor, bone; tarsal (except talus or calcaneus)

**28173** - metatarsal

**28175** - phalanx of toe

**28190** - Removal of foreign body, foot; subcutaneous

**28192** - deep

**28193** - complicated

**28200** - Repair or suture of tendon, foot, flexor, single; primary or secondary, without free graft, each tendon

**28202** - secondary with free graft, each tendon (includes obtaining graft)

**28208** - Repair or suture of tendon, foot, extensor, single; primary or secondary, each tendon

**28210** - secondary with free graft, each tendon (includes obtaining graft)

**28220** - Tenolysis, flexor, foot; single

**28222** - multiple (through same incision)

**28225** - Tenolysis, extensor, foot; single

**28226** - multiple (through same incision)

**28230** - Tenotomy, open, flexor; foot, single or multiple (separate procedure)

**28232** - toe, single (separate procedure)

**28234** - Tenotomy, open, extensor, foot or toe

**28238** - Advancement of posterior tibial tendon with excision of accessory navicular bone (Kidner type procedure)

**28240** - Tenotomy, lengthening, or release, abductor hallucis muscle

**28250** - Division of plantar fascia and muscle ("Steindler stripping") (separate procedure)

**28260** - Capsulotomy, midfoot; medial release only (separate procedure)

**28261** - with tendon lengthening

**28262** - extensive, including posterior talotibial capsulotomy and tendon(s) lengthening as for resistant clubfoot deformity

**28264** - Capsulotomy, midtarsal (Heyman type procedure)

**28270** - Capsulotomy, for contracture; metatarsophalangeal joint, with or without tenorrhaphy, single, each joint

**28272** - interphalangeal joint, single, each joint

**28280** - Webbing operation (create syndactylism of toes) for soft corn (Kelikian type procedure)

**28285** - Hammertoe operation; one toe (eg, interphalangeal fusion, filleting, phalangectomy)

**28286** - cock-up fifth toe with plastic skin closure (Ruiz-Mora type procedure)

**28288** - Osteotomy, partial, exostectomy or condylectomy, single, metatarsal head, first through fifth, each metatarsal head

**28290** - Hallux valgus (bunion) correction, with or without sesamoidectomy; simple exostectomy (Silver type procedure)

**28292** - Keller, McBride, or Mayo type procedure

**28293** - resection of joint with implant

**28294** - with tendon transplants (Joplin type procedure)

**28296** - with metatarsal osteotomy (eg, Mitchell, Chevron or concentric procedures)

**28297** - Lapidus type procedure

**28298** - by phalanx osteotomy

**28299** - by other methods (eg, double osteotomy)

**28300** - Osteotomy; calcaneus (Dwyer or Chambers type procedure), with or without internal fixation

**28302** - talus

**28304** - Osteotomy, midtarsal bones, other than calcaneus or talus

**28305** - with autograft (includes obtaining graft) (Fowler type)

**28306** -Osteotomy, metatarsal, base or shaft, single, with or without lengthening, for shortening or angular correction; first metatarsal

**28307** - first metatarsal with autograft

**28308** - other than first metatarsal

**28309** - Osteotomy, metatarsals, multiple, for cavus foot (Swanson type procedure)

**28310** - Osteotomy for shortening, angular or rotational correction; proximal phalanx, first toe (separate procedure)

**28312** - other phalanges, any toe

**28213** -Reconstruction, angular deformity of toe (overlapping second toe, fifth toe, curly toes), soft tissue procedures only

**28315** - Sesamoidectomy, first toe

**28320** - Repair of nonunion or malunion; tarsal bones (eg, calcaneus, talus)

**28322** - metatarsal, with or without bone graft (includes obtaining graft)

**28340** - Reconstruction, toe, macrodactyly; soft tissue resection

**28341** - requiring bone resection

**28344** - Reconstruction, toe(s); polydactyl

**28360** - Reconstruction, cleft foot

**28400** - Closed treatment of calcaneal fracture; without manipulation

**28405** - with manipulation

**28406** - Percutaneous skeletal fixation of calcaneal fracture; with manipulation

**28415** - Open treatment of calcaneal fracture; with or without internal or external fixation

**28420** - with primary iliac or other autogenous bone graft (includes obtaining graft)

**28430** - Closed treatment of talus fracture; without manipulation

**28435** - with manipulation

**28436** - Percutaneous skeletal fixation of talus fracture, with manipulation

**28445** - Open treatment of talus fracture, with or without internal or external fixation

**28450** - Treatment of tarsal bone fracture (except talus and calcaneus); without manipulation, each

**28455** - with manipulation, each

**28456** - Percutaneous skeletal fixation of tarsal bone fracture (except talus and calcaneus); with manipulation, each

**28465** - Open treatment of tarsal bone fracture (except talus and calcaneus); with or without internal or external skeletal fixation, each

**28470** - Closed treatment of metatarsal fracture; without manipulation, each

**28475** - with manipulation, each

**28476** - Percutaneous skeletal fixation of metatarsal fracture, with manipulation, each

**28485** - Open treatment of metatarsal fracture; with or without internal or external fixation, each

**28490** - Closed treatment of fracture great toe, phalanx or phalanges; without manipulation

**28495** - with manipulation

**28496** - Percutaneous skeletal fixation of fracture great toe, phalanx or phalanges, with manipulation

**28505** - Open treatment of fracture great toe, phalanx or phalanges; with or without internal or external fixation

**28510** - Closed treatment of fracture, phalanx or phalanges, other than great toe; without manipulation, each

**28515** - with manipulation, each

**28525** - Open treatment of fracture, phalanx or phalanges, other than great toe; with or without internal or external fixation, each

**28540** - Closed treatment of tarsal bone dislocation; other than talotarsal, without anesthesia

**28545** - requiring anesthesia

**28546** - Percutaneous skeletal fixation of tarsal bone dislocation, other than talotarsal, with manipulation

**28555** - Open treatment of tarsal bone dislocation, with or without internal or external fixation

**28570** - Closed treatment of talotarsal joint dislocation; without anesthesia

**28575** - requiring anesthesia

**28576** - Percutaneous skeletal fixation of talotarsal joint dislocation, with manipulation

**28585** - Open treatment of talotarsal joint dislocation, with or without internal or external fixation

**28600** - Closed treatment of tarsometatarsal joint dislocation; without anesthesia

**28605** - requiring anesthesia

**28606** - Percutaneous skeletal fixation of tarsometatarsal joint dislocation, with manipulation

**28615** - Open treatment of tarsometatarsal joint dislocation, with or without internal or external fixation

**28630** - Closed treatment of metatarsophalangeal joint dislocation; without anesthesia

**28635** - requiring anesthesia

**28636** - Percutaneous skeletal fixation of metatarsophalangeal joint dislocation, with manipulation

**28645** -Open treatment of metatarsophalangeal joint dislocation, with or without internal or external fixation

**28660** - Closed treatment of interphalangeal joint dislocation; without anesthesia

**28665** - requiring anesthesia

**28666** - Percutaneous skeletal fixation of interphalangeal joint dislocation, with manipulation

**28675** - Open treatment of interphalangeal joint dislocation, with or without internal or external fixation

**28705** - Pantalar

arthrodesis **28715** - Triple

arthrodesis **28725** -

Subtalar arthrodesis

**28730** - Arthrodesis, midtarsal or tarsometatarsal, multiple or transverse;

**28735** - with osteotomy as for flatfoot correction

**28737** - Arthrodesis, midtarsal navicular-cuneiform, with tendon lengthening and advancement (Miller type procedure)

**28740** - Arthrodesis, midtarsal or tarsometatarsal,

single joint **28750** - Arthrodesis, great toe;

metatarsophalangeal joint **28755** -

interphalangeal joint

**28760** - Arthrodesis, great toe, interphalangeal joint, with extensor hallucis longus transfer to first metatarsal neck (Jones type procedure)

**28820** - Amputation, toe; metatarsophalangeal joint

**28825** - interphalangeal joint

**28899** - Unlisted procedure, foot or toes (requires description of medical necessity)

**The listed procedures apply when the cast application or strapping is a replacement procedure used during or after the period of follow-up care. Additional visits are reportable only if significant identifiable further services are provided at the time of the cast application or strapping.**

**If cast application or strapping is provided as an initial procedure in which no surgery is performed (eg, casting of a sprained ankle or knee), use the appropriate office evaluation and management code in addition to 99070 for supplies.**

Listed procedures include removal of cast or strapping.

**29345** - Application of long leg cast (thigh to toes);

**29355** - walker or ambulatory type

**29405** - Application of short leg cast (below knee to toes);

**29425** - walking or ambulatory type

**29435** - Application of patellar tendon bearing (PTB) cast

**29440** - Adding walker to previously applied cast

**29450** - Application of clubfoot cast with molding or manipulation, long or short leg

**29505** - Application of long leg splint (thigh to ankle to toes)

**29515** - Application of short leg splint (calf to foot)

**29540** - Strapping; ankle

**29550** - toes

**29580** - Unna boot

**29590** - Denis-Browne splint strapping

**Codes for cast removals should be employed only for casts applied by another provider**

**29705** - Removal or bivalving; full arm or full leg cast

**29730** - Windowing of cast

**29740** - Wedging of cast (except clubfoot casts)

**29750** - Wedging of clubfoot cast

**Endoscopy/Arthroscopy**

**29894** - Arthroscopy, ankle (tibiotalar and fibulotalar joints), surgical; with removal of loose body or foreign body

**29895** - synovectomy, partial

**29897** - debridement, limited

**29898** - debridement, extensive

**29909** - Unlisted procedure, arthroscopy (requires description of medical necessity)

**Other Procedure(s):**

**64450** - Injection, anesthetic agent; other peripheral nerve or branch  
**64640** - Destruction by neurolytic agent; other peripheral nerve or branch  
**64787** - Implantation of nerve end into bone or muscle

**64830** - Microdissection and/or microrepair of nerve  
**64831** - Suture of digital nerve, hand or foot; one nerve  
**64832** - each additional digital nerve

**64834** - Suture of one nerve, hand or foot; common sensory nerve

**64840** - Suture of posterior tibial nerve

**93922** - Non-invasive physiologic studies of upper or lower extremity arteries, single level, bilateral

**93923** - Non-invasive physiologic studies of upper or lower extremity arteries, multiple levels or with provocative functional maneuvers, complete bilateral study

**93965** - Non-invasive physiologic studies of extremity veins, complete bilateral study (eg, Doppler waveform analysis with responses to compression and other maneuvers, phleborthography, impedance plethysmography)

## **Radiology Procedures**

**73600** - Radiologic examination, ankle; anteroposterior and lateral views

**73610** - complete, minimum of three views

**73615** - Radiologic examination, ankle, arthrography, radiological supervision and interpretation

**73620** - Radiologic examination, foot; anteroposterior and lateral views

**73630** - complete, minimum of three views

**73650** - Radiologic examination; calcaneus, minimum of two views

**73660** - toe(s), minimum of two views

## Laboratory Procedures

**80049** - Basic metabolic panel. This panel must include the following: Carbon dioxide (82374) Chloride (82435) Creatinine (82565) Glucose (82947) Potassium (84132) Sodium (84295) Urea Nitrogen (BUN) (845201)

**80050** -General health panel. This panel must include the following: Comprehensive metabolic panel (80054). Hemogram, automated, and manual differential WBC count (CBC) (85022) OR Hemogram and platelet count, automated, and automated complete differential WBC count (CBC) (85025) Thyroid stimulating hormone (TSH) (84443)

**80051** -Electrolyte panel. This panel must include the following: Carbon dioxide (82374) Chloride (82435) Potassium (84132) Sodium (84295)

**80054** -Comprehensive metabolic panel. This panel must include the following: Albumin (82040) Bilirubin, Total OR direct (82250) Calcium (82310) Chloride (82435) Creatinine (82565)

Glucose (82947) Phosphatase, alkaline (84075) Potassium (84132) Protein, total (84155) Sodium (84295) Transferase, aspartate amino (AST) (SGOT) (84450) Urea Nitrogen (BUN) (84520)

**80072** -Arthritis panel. This panel must include the following: Uric acid, blood, chemical (84550) Sedimentation rate, erythrocyte, non-automated (85651) Fluorescent antibody, screen, each antibody (86255) Rheumatoid factor, qualitative (86430)

**81000** - Urinalysis, by dip stick or tablet reagent for bilirubin, glucose, hemoglobin, ketones, leukocytes, nitrite, pH, protein, specific gravity, urobilinogen, any number of constituents; with microscopy

**81002** - non-automated, without microscopy

**82310** - Calcium; total

**82435** - Chloride; blood

**82465** - Cholesterol, serum, total

**82540** - Creatine

**82565** - Creatinine; blood

**82947** - Glucose; quantitative

**82948** - blood, reagent strip

**84075** - Phosphatase, alkaline

**84100** - Phosphorus inorganic (phosphate)

**84132** - Potassium; serum

**84155** - Protein; total, except refractometry

**84295** - Sodium; serum

**84450** - Transferase; aspartate amino (AST)(SGOT)

**84460** - alanine amino (ALT)(SGPT)

**84478** - Triglycerides

**84525** - Urea nitrogen; semiquantitative (eg, reagent strip test)

**84550** - Uric acid; blood

**85002** - Bleeding time

**85007** -Blood count; manual differential WBC count (includes RBC morphology and platelet estimation)

**85009** - differential WBC count, buffy coat

**85014** - other than spun hematocrit

**85018** - hemoglobin

**85021** - hemogram, automated (RBC, WBC, Hgb, Hct and indices only)

**85022** - hemogram, automated, and manual differential WBC count (CBC)

**85031** -Blood count; hemogram, manual, complete CBC (RBC, WBC, Hgb, Hct, differential and indices)

**85041** - red blood cell (RBC) only

**85044** - reticulocyte count, manual

**85048** - white blood cell (WBC)

**85610** - Prothrombin time

**85651** - Sedimentation rate, erythrocyte, non-automated

**85730** - Thromboplastin time, partial, (PTT); plasma or whole blood

**86060** - Antistreptolysin O; titer

**86063** - screen

**86215** - Deoxyribonuclease, antibody

**87040** - Culture, bacterial, definitive; blood (includes anaerobic screen)

**87075** - Culture, bacterial, any source; anaerobic (isolation)

**87081** - Culture, bacterial, screening only, for single organisms

**87101** - Culture, fungi, isolation (with or without presumptive identification); skin

**87184** - Sensitivity studies, antibiotic disk method, per plate (12 or fewer disks)

**87205** - Smear, primary source, with interpretation; routine stain for bacteria, fungi, or cell types

**87210** - Smear, primary source with interpretation; wet mount with simple stain, for bacteria, fungi, ova and/or parasites

## Appendix F (Podiatry)

Updated: 5/21/1999

### Update Control Log

<u>Transmittal Number</u>	<u>Release Date</u>	<u>Transmittal Number</u>	<u>Release Date</u>
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