

Optometry Coding & Billing Alert

News You Can Use: Get the Facts on CMS's 30-Day Retro Billing Rule

You wont forfeit quite as much money as previously expected.

While CMS has cut the period for retrospective billing for newly credentialed physicians from 27 months to 30 days, the change wont be as painful as experts were anticipating. CMS says youll count back 30 days from the physicians application date, not the Medicare approval date -- a clarification that makes a huge difference in your otential reimbursement, experts say.

Sort Through the Credentialing Confusion

As we reported in Optometry Coding & Billing Alert Volume 7, Number 2, according to the 2009 Medicare Physician Fee Schedule, youll be able to retroactively bill Medicare for services rendered up to 30 days prior to the date of filing a Medicare enrollment application that a Medicare contractor subsequently approves.

Although most experts previously took this to mean that you could only retrospectively bill for services performed 30 days prior to the day Medicare approved the physician, that is not the case. You actually have 30 days from the day you submitted the enrollment application to the Medicare carrier and the carrier receives your signed certification in the mail, if youre filing via PECOS. If you file a paper application, the filing date is the day the carrier receives your application.

Disaster averted: Only being able retrospectively bill for 30 days prior to approval would have led to increased write-offs, biller headaches, and significant reimbursement loss for practices dealing with Medicare and Medicaid, says **Kathleen Goodwin**, coding coordinator for LaPorte Regional Physician Network in Indiana.

CMSs take: During a Jan. 13 CMS open door forum, **Jim Bossenmeyer** of CMSs office of financial management said that the effective date of billing is the later of either the date of filing or the date the physician first starts to practice at the location.

Therefore, Bossenmeyer said, if a physician submits an application on June 1 and is starting to provide services at the practice on June 30, the effective date of billing will be June 30. If, however, the physician submits his application on June 5 but starts practicing on June 1, the effective date of filing is June 5. If the practitioner meets all program requirements and state licensing rules, retrospective billing will be allowed for 30 days prior to that effective date, Bossenmeyer says.

Dont Be Shocked If Your Carrier Hasnt Heard

The new 30-day requirement was effective on Jan. 1, but CMS hasnt sent instructions regarding the rule to the MACs yet and wont phase in enforcement of the rule until April 1, CMS officials indicated.

We have placed the following FAQ on the CMS Web site, a Medicare rep told the **The Coding Institute**:

Question: What is the effective date of the enrollment provisions found in the CY 2009 Physician Fee Schedule (CMS-1403-FC)?

Answer: The effective date for provisions found in the CY 2009 Physician Fee Schedule is January 1, 2009, unless otherwise specified. Since CMS did not establish a delayed effective date for any changes in the Medicare provider enrollment provisions, the effective date of the enrollment provisions is also January 1, 2009.

CMS is in the process of developing instructions for Medicare contractors regarding these new provisions ...CMS intends to phase in its enforcement of this provision and will begin actively monitoring provider compliance with this provision beginning on April 1, 2009.

Be prepared: You will still need to make sure, especially if you file on paper, that you can show documentation of when you submitted your application, cautions Goodwin.