

Part B Insider (Multispecialty) Coding Alert

CONSULTS: Consult Confusion Just Got More Tangled

You don't have to verify documentation, but it should be there

You've been tearing out your hair over the confusing consult documentation rules--and they just got even more complicated.

The **Centers for Medicare & Medicaid Services** tried to let providers off the hook for the consult catch-22, but CMS's latest clarification just raises more questions, say providers.

New rule: A statement by the **Physician Regulatory Issues Team** at CMS says that the consulting physician doesn't have to verify that the requesting physician documented the request for a consult. In other words, when Doctor A requests a consult from Doctor B, it's not up to Doctor B to make sure Doctor A's files include that request in writing.

But CMS officials tell PBI that Doctor A still has to document the request for a consult, as CMS stated in last December's Transmittal 788. (See PBI, Vol. 7, No. 4.) The only change is that Doctor B doesn't have to verify that Doctor A has done so.

It isn't clear what will happen if the carrier audits Doctor B and does not find any request documented in Doctor A's files. Will Doctor B still get paid for consults without that documentation?

"It is a real paper chase for the consultant to have to look at the referring physician's notes to see if they are in compliance," says **Roberta Buell**, vice president of provider services and reimbursement with **P4** in Sausalito, CA. CMS should delete the requirement for Doctor A to document the request for a consult altogether, she adds.

Chances for clarification: But CMS officials say they're not planning on clarifying the consult issue any further--unless providers or carriers indicate that they're still having problems with the issue. CMS doesn't even plan to put out a transmittal or manual update spelling out this latest clarification, partly letting consulting physicians off the hook.

Speak up: So if you want CMS to put this clarification in a more official form--let alone dispose of this cumbersome requirement entirely--then make your voice heard, experts urge. The next CMS physician Open Door Forum is May 16 at 2:00 p.m., and you can find instructions at <http://cms.hhs.gov/opendoor/>.