

Part B Insider (Multispecialty) Coding Alert

Party of Five Won't Trigger Stark Law

Good news: You can reward a group of physicians within your practice for using a lot of ancillary services, CMS has clarified. In the past, CMS said that if you have an MRI machine in your office, you have to distribute all income from that MRI machine equally among your doctors--even if one doctor orders 10 scans a day and another doctor orders none.

Now, CMS says you can divide your practice into groups of at least five doctors each, attorney **Bruce Johnson** explains. So if you have 10 doctors, and only five of them use a Dexascan machine in the office, you can allocate the Dexascan income to the Dexascan-using doctors only, not the others.