

Part B Insider (Multispecialty) Coding Alert

PHYSICIAN NOTES: ICD-9 Codes May Come Out Twice Yearly

The ICD-9 codes are still coming out in annual updates, but the **Centers for Medicare & Medicaid Services** has proposed moving to a twice-yearly update as mandated in the Medicare Modernization Act, according to a CMS official.

If this happened, most likely the second update would take effect in April and wouldn't include any hospital procedure code updates, the source says. The new schedule could take effect as soon as next April, according to the proposal published in the May 18 Federal Register. "The April updates would be those primarily related to new technology, and not necessarily everything that was presented at our October meeting," the official said.

This year's update includes 171 new ICD9 Codes, according to the CMS official. It also changes some code descriptors. In particular, it changes some codes from the mental health chapter to bring the descriptors in line with the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition.

The owners of two Miami clinics have been indicted for alleged fraud. Prosecutors say **Bolanos Institute** and **Lefebvre Institute Corp.** improperly billed Medicare for intravenous infusions of HIV medications Neupogen and Procrit. The treatments were either not provided or were medically unnecessary, and beneficiaries were paid kickbacks to serve as patients, prosecutors allege.

The indictment also names three physicians connected to the clinics, as well as four employees. The ring allegedly scammed \$5 million over 17 months.

Dr. Raymond E. Turek, of Nashville, TN, pled guilty April 30 to one count of defrauding Medicare and TNCare, a state medical program, and to one count of money laundering. The Department of Justice claims that from 1997 to 2000, Turek charged for medical services he did not perform, billed for more extensive treatments than he provided and filed medical claims for patients who were already dead. He also admitted that he used some of the \$2.3 million he made from the fraud to help purchase a \$1.8 million home in Murfreesboro, TN.

Turek faces a maximum of 20 years in prison and more than a million dollars in fines when he's sentenced on July 26. He'll be excluded from the Medicare and TNCare programs for 20 years and he will return the \$2.3 million he defrauded.

Englewood, CO psychologist **Richard Cook** agreed to settle allegations that he submitted fraudulent bills to Medicare and Medicaid by repaying \$250,000 to the state and the federal government. Charges revolved around claims for psychotherapy sessions Cook claimed he performed between 1998 and 2000, which were allegedly conducted by unlicensed employees not under his immediate supervision.