

Part B Insider (Multispecialty) Coding Alert

Reader Question: Check With Individual Payers' Incident-to Guidelines

Question: Can we bill under the physician even if she's not in the office when the speech language pathologist (SLP) performs video strobe or therapy service? Our SLP has no credential with some insurance companies. Will the insurance companies reimburse the SLP's service even without "supervision"?

Answer: It all depends upon the payer. Keep in mind that to bill something you did not do -- in this case a service (70371, Complex dynamic pharyngeal and speech evaluation by cine or video recording) under a physician's name who did not perform the service and was not even present in the office -- would be fraudulent. However, this practice is quite common for non physician practitioners (NPPs) because the payers don't want to credential them.

What to do: It's safer to get each payer's ruling on this matter in writing to avoid potential problems. For instance, you should find out from each payer if they allow incident to billing (which they probably do since they do not credential the SLP), and if they do allow it, do they require direct supervision (the physician in the office suite). If they require a doctor in the suite (direct supervision), make sure your claim comes from the doctor doing the supervision, not the doctor who ordered the services. Always get the information in writing on the payer's letterhead, because years later when the payer comes after your practice, the person who gave you the information will not be there and you will have nothing to back you up.

Important: Medicare does not allow you to bill out your SLP incident to when the physician is not present in the office suite. The Medicare incident to rules must be followed which includes direct supervision.