

Health Information Compliance Alert

Industry Notes:

Could May 1 Be Final Deadline for Ordering/Referring Edits?

Part B practices have been waiting patiently for an official word regarding when **CMS** will turn on the ordering/referring edits, at which point claims without an ordering/referring physician's NPI could be rejected. A recently released [MLN Matters](#) article and quickly rescinded [MLN Matters](#) article on the topic suggests that the date could be right around the corner.

On Feb. 25, CMS released [MLN Matters](#) article SE1305, which said, "Effective May 1, 2013, CMS will turn on the Phase 2 denial edits. This means that Medicare will deny claims for services or supplies that require an ordering/referring provider to be identified and that provider is not identified, is not in Medicare's enrollment records, or is not of a specialty type that may order/refer the service/item being billed."

However, just as soon as the article hit inboxes, CMS removed it from its Web site and emailed a separate message saying "SE1305 was erroneously sent out yesterday and has since been rescinded. This article will be re-submitted when ready."

It's unclear at this point whether the date is not accurate, other information in the article was incorrect, or CMS was just not ready to make the announcement. Keep an eye on these pages for more as CMS releases additional details about this situation.

Physician Who Alters Medical Record Is Charged With Obstruction of Justice

Ever wondered why following the regulations is of paramount importance when you're amending a medical record? An Illinois physician found out the hard way, pleading guilty to obstruction of a criminal health care fraud investigator on Feb. 14 and now faces up to 10 years in prison and a \$250,000 fine.

The physician received a subpoena for his medical records, but before turning them over to the government official, the doctor altered a progress note to show an in-office examination that hadn't actually taken place. The physician had billed the visit to his insurer, so he created the fake note later to support his claim.

Because of physicians like this, insurers are on the lookout for backdated or altered medical records. Therefore, if you need to amend your medical record, stick to the rules, which require you to identify it as an amendment, and have the practitioner sign and date it. Never delete the original entry [or](#) instead, ensure that all original content is identifiable. You can do this on a paper record by using a single strike line through the original content. For an EHR, you must "provide a reliable means to clearly identify the original content, the modified content, and the date of authorship of each modification of the record," CMS says.

To read about the Illinois physician, visit www.justice.gov/usao/ils/News/2013/Feb/02142013_Yassin_Press_Release.html.