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MEANINGFUL • INFORMATIVE • SIMPLIFIED EDUCATION

Chiropractic Billing and Documentation

6/21/2022

CMS CENTERS FOR MEDICARE & MEDICAID SERVICES

Today's Presenters

- Michele Poulos
  - JK Provider Outreach and Education Consultant
- Arlene Dunphy, CPC
  - JK Provider Outreach and Education Consultant

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Objectives

- Provide a sampling of chiropractic billing concepts and guidelines to give you a better understanding of the Medicare Program, while helping to decrease your National Government Services claim submission billing errors

Agenda

- Medical Necessity
- Chiropractic Coverage
- Active Versus Maintenance Treatment
- Documentation Guidelines
- Utilization Guidelines
- Significant Facts for Successful Billing
- Resources

Chiropractic Coverage Policy

LCD L33613 – Coverage Document (RETIRED)
SIA A52853 – Supplemental Instructions (RETIRED)

- Medical Policy Article (A57889) for Chiropractic Services
  - Local Coverage Article for Chiropractic Services – Medical Policy Article
  - Coverage and Coding information
  - CPT codes
- Medicare Coverage Database - Overview

CMS Medicare Coverage Database

Final LCDs for Contractor Results [2 Records]

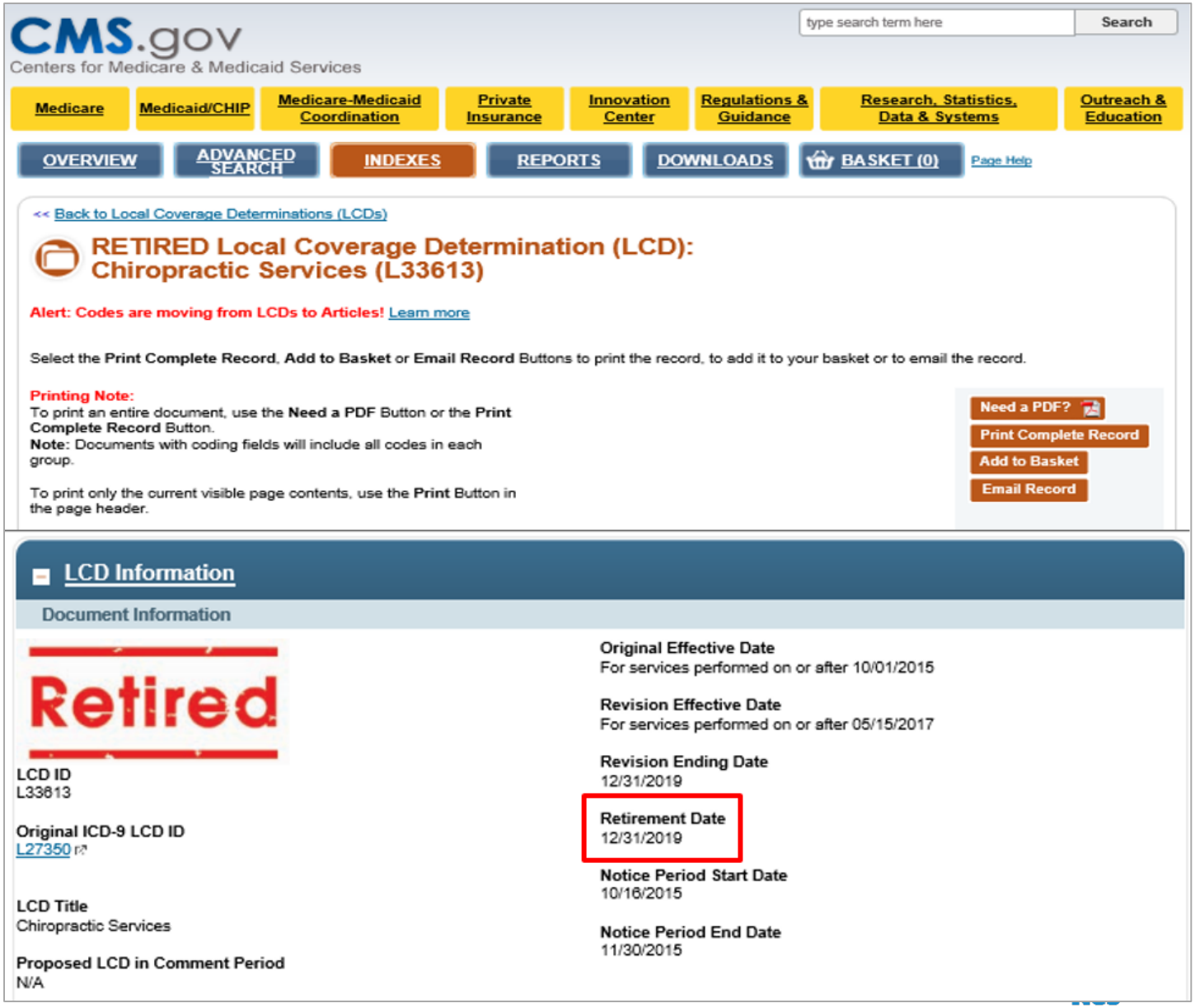
Selection Criteria:

Contractor: National Government Services, Inc. (13101, A and B and HHH MAC, J - K)
Document Type(s): Retired LCDs (2)

Page 1 of 1 View Items Per Page: 25

ID	TITLE	EFFECTIVE DATE	REVISION EFFECTIVE DATE	END DATE	LAST UPDATED	STATUS	SELECT ALL
L33613	Chiropractic Services	10/01/2015	05/15/2017	12/31/2019	12/31/2019	Retired	☐
L36376	Genomic Sequence Analysis Panels in the Treatment of Non-Small Cell Lung Cancer	04/01/2016	N/A	03/31/2019	03/31/2019	Retired	☐

ARTICLE ID#	ARTICLE TITLE	EFFECTIVE DATE	REVISION EFFECTIVE DATE	ARTICLE END DATE	LAST UPDATED ON	SELECT ALL
A52853 (Retired)	Chiropractic Services – Supplemental Instructions Article	10/01/2015	10/01/2015	12/31/2019	12/31/2019	☐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<< Back to Local Coverage Determinations (LCDs)
RETIRED Local Coverage Determination (LCD): Chiropractic Services (L33613)
Alert: Codes are moving from LCDs to Articles! Learn more
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L27350
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Chiropractic Services
Proposed LCD in Comment Period
N/A
Original Effective Date
For services performed on or after 10/01/2015
Revision Effective Date
For services performed on or after 05/15/2017
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Notice Period Start Date
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Notice Period End Date
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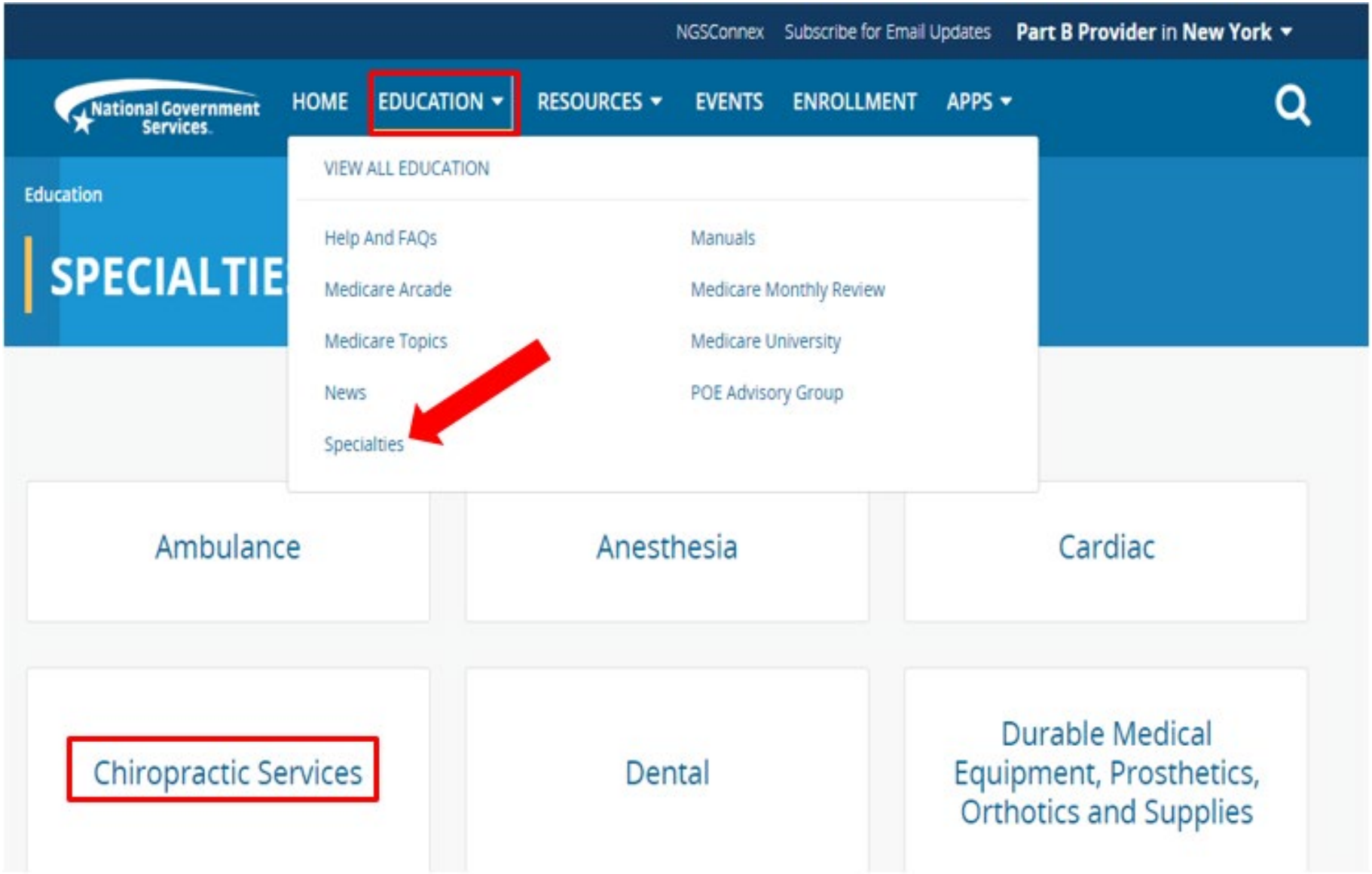
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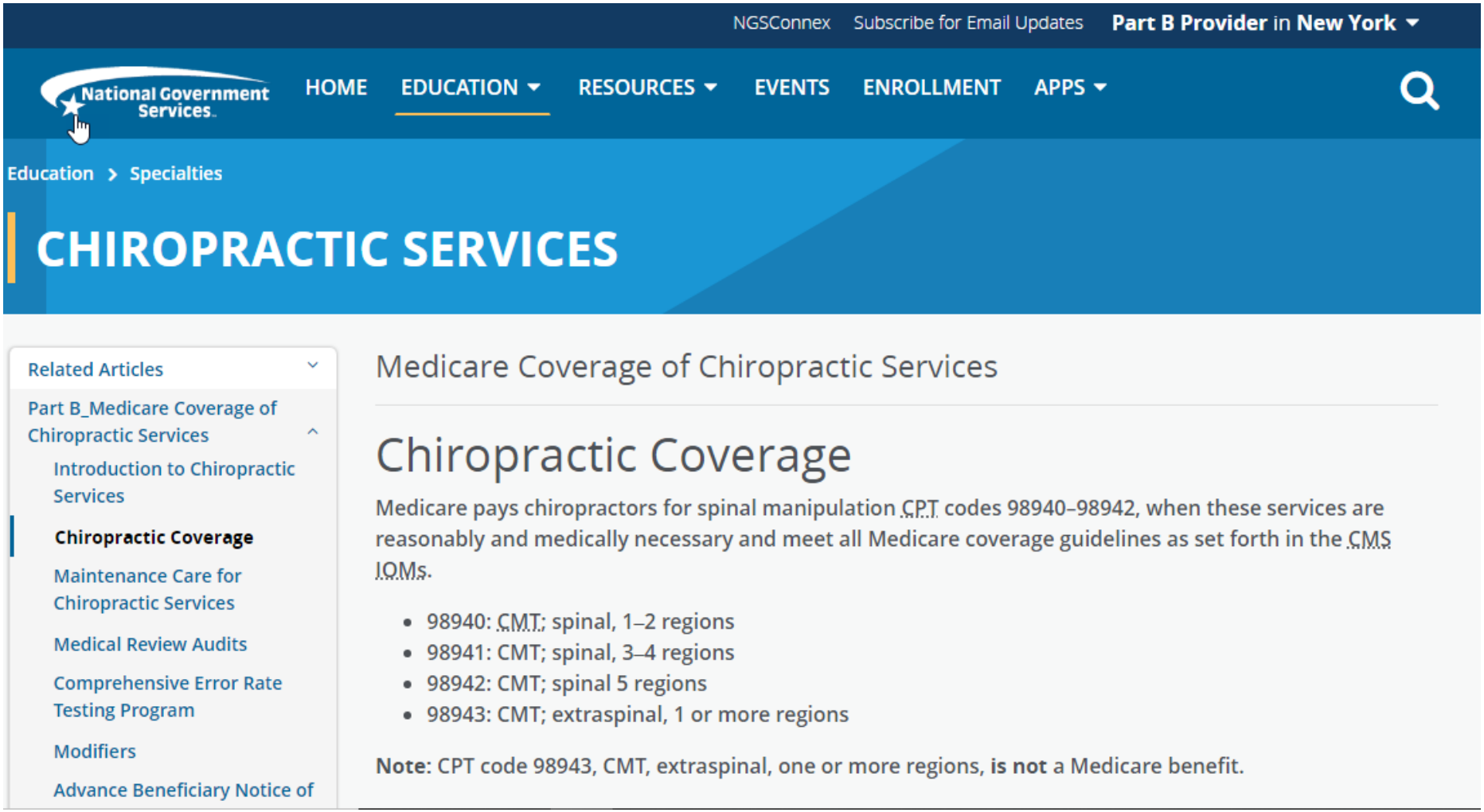
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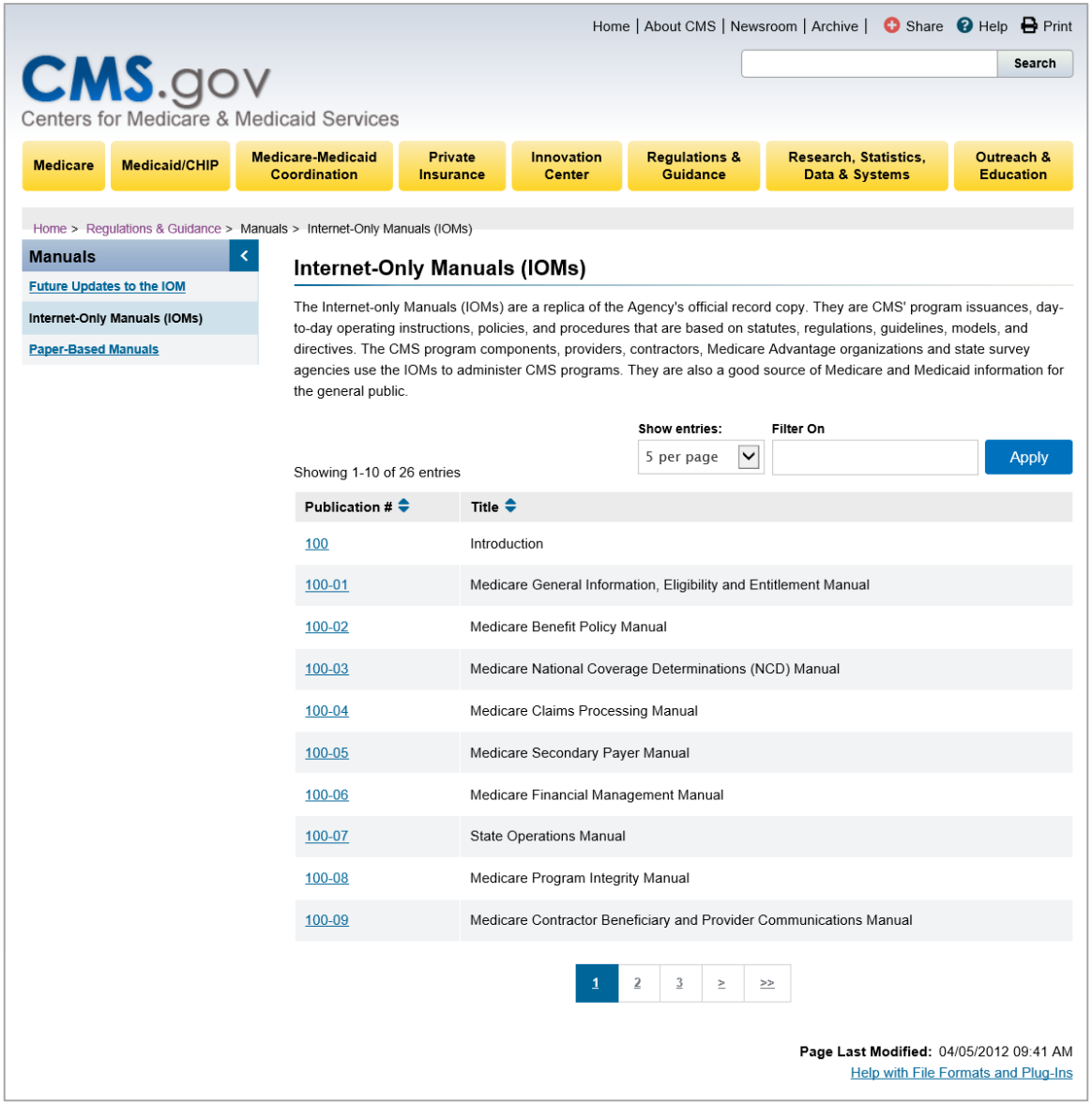
Part B_Medicare Coverage of Chiropractic Services
Introduction to Chiropractic Services
Chiropractic Coverage
Maintenance Care for Chiropractic Services
Medical Review Audits
Comprehensive Error Rate Testing Program
Modifiers
Advance Beneficiary Notice of
Medicare Coverage of Chiropractic Services
Chiropractic Coverage
Medicare pays chiropractors for spinal manipulation CPT codes 98940–98942, when these services are reasonably and medically necessary and meet all Medicare coverage guidelines as set forth in the CMS IOMs.
98940: CMT; spinal, 1–2 regions
98941: CMT; spinal, 3–4 regions
98942: CMT; spinal 5 regions
98943: CMT; extraspinal, 1 or more regions
Note: CPT code 98943, CMT, extraspinal, one or more regions, is not a Medicare benefit.

CMS Internet-Only Manual

- Publication 100-02, *Medicare Benefit Policy Manual,* Chapter 15, Section 240
  - Guidelines given to us from CMS
  - LCD cannot contradict IOMs
  - NCD



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Manuals
- Future Updates to the IOM
- Internet-Only Manuals (IOMs)
- Paper-Based Manuals

Internet-Only Manuals (IOMs)

The Internet-only Manuals (IOMs) are a replica of the Agency's official record copy. They are CMS' program issuances, day-to-day operating instructions, policies, and procedures that are based on statutes, regulations, guidelines, models, and directives. The CMS program components, providers, contractors, Medicare Advantage organizations and state survey agencies use the IOMs to administer CMS programs. They are also a good source of Medicare and Medicaid information for the general public.

Show entries: 5 per page | Filter On | Apply

Showing 1-10 of 26 entries

Publication #	Title
100	Introduction
100-01	Medicare General Information, Eligibility and Entitlement Manual
100-02	Medicare Benefit Policy Manual
100-03	Medicare National Coverage Determinations (NCD) Manual
100-04	Medicare Claims Processing Manual
100-05	Medicare Secondary Payer Manual
100-06	Medicare Financial Management Manual
100-07	State Operations Manual
100-08	Medicare Program Integrity Manual
100-09	Medicare Contractor Beneficiary and Provider Communications Manual

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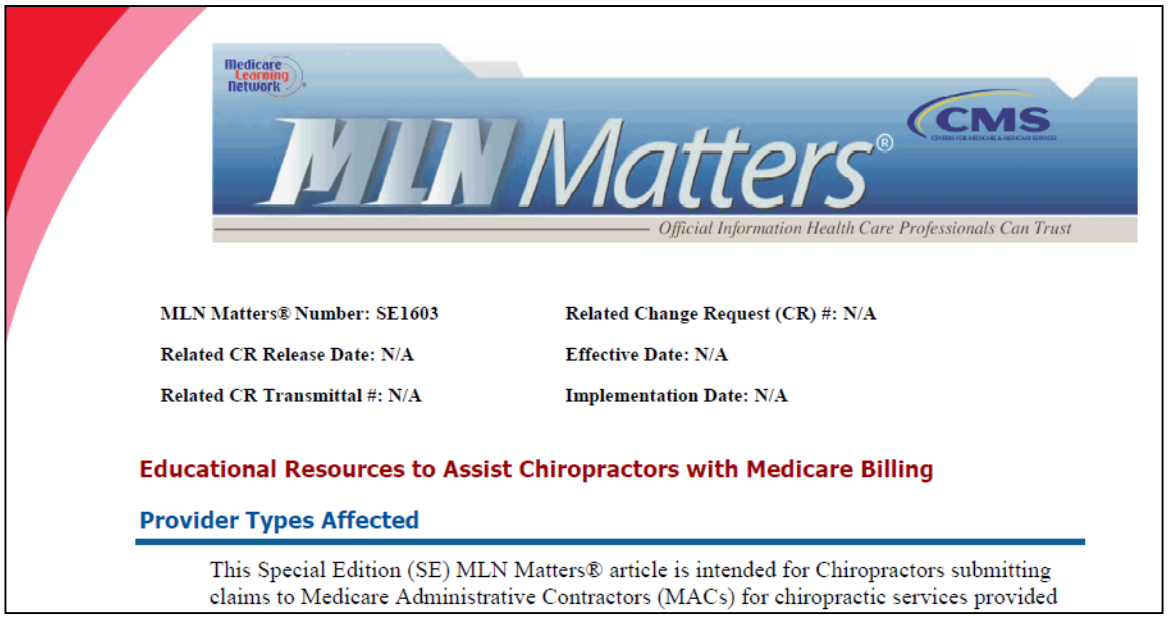
MLN Matters® Articles

- CRs put into simple language
  - MLN Matters® Articles – CMS website



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MLN Matters®

CMS

Official Information Health Care Professionals Can Trust

MLN Matters® Number: SE1603 | **Related Change Request (CR) #: N/A**

Related CR Release Date: N/A | **Effective Date: N/A**

Related CR Transmittal #: N/A | **Implementation Date: N/A**

Educational Resources to Assist Chiropractors with Medicare Billing

Provider Types Affected

This Special Edition (SE) MLN Matters® article is intended for Chiropractors submitting claims to Medicare Administrative Contractors (MACs) for chiropractic services provided

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Medical Necessity

Medicare Coverage

- Medical Necessity
  - Title XVIII of the Social Security Act, Section 1862 (a)(1)(A). This section allows coverage and payment for only those services considered medically reasonable and necessary for the diagnosis or treatment of illness or injury or to improve the functioning of a malformed body member.

Medical Necessity

- Medical necessity
  - Assures services to Medicare patients are reasonable and necessary for diagnosis or treatment of illness or injury
- Remittance remark code
  - CO-50 Medical Necessity Denial

Medical Necessity Denials

- Some services are only covered in some instances
- Example: Chiropractic Manipulation
  - Only covered for a diagnosis listed in LCD
  - Any other diagnosis will be denied as not medically necessary

Medicare Coverage

- Medical Necessity
  - Patient must have a significant health problem in the form of a neuro-musculoskeletal condition necessitating treatment
  - The manipulative services rendered must have a direct therapeutic relationship to patient's condition and provide reasonable expectation of recovery or improvement of function
  - The patient must have a subluxation of the spine as demonstrated by X-ray/physical exam

Active Versus Maintenance Treatment

Active/Corrective Treatment

- Goal driven
- Treatment plan
- Individualized
- Usually short term
- Measurable progress towards goals

Active Treatment

- Reasonable expectation of improvement
- Not always recovery
- Not always complete return to prior level of function

Acute Subluxation

- A patient's condition is considered acute when the patient is being treated for a new injury, identified by X-ray or physical exam as specified above
- The result of chiropractic manipulation is expected to be an improvement in, or arrest of progression, of the patient's condition

Chronic Subluxation

- A patient's condition is considered **chronic** when it is **not expected to improve/resolve** with further treatment, but where the continued therapy can be expected to result in some functional improvement
- Once the clinical status has **remained stable** for a given condition, further manipulative treatment is considered **maintenance therapy** and is not covered

Acute Exacerbation

- Temporary but marked deterioration of patient's condition that is causing significant interference with activities of daily living due to an acute flare-up of the previously treated condition
- Patient's clinical record must specify the date of occurrence, nature of the onset, or other pertinent factors that would support the medical necessity of treatment
- As with an acute injury, treatment should result in improvement or arrest of the deterioration within a reasonable period of time

Maintenance

- Preventive
- Promote health
- Prolong or enhance the quality of life
- Maintain/prevent deterioration
- Supportive
- Noncorrective
- No reasonable expectation of further clinical improvement

Maintenance

- May be beneficial
- May be necessary treatment
- Not covered by Medicare

Contraindications

- Dynamic thrust is therapeutic force/maneuver delivered by the physician during manipulation in the anatomic region of involvement
- Contraindication adds significant risk of injury to the patient from dynamic thrust, but does not rule out the use of dynamic thrust
- The doctor must discuss this risk with the patient and record this in the chart
  - See LCD for contraindication listing

Documentation Guidelines

Medical Necessity Documentation

- Patient's medical record **must** contain documentation that fully supports medical necessity for services
- Documentation **includes**, but is **not limited to**, relevant medical history, physical examination and results of pertinent diagnostic tests or procedures

Medical Necessity Documentation- Plan of Care

- Chiropractic care is focused on treatment goals outlined in the **plan of care** and should be **individualized** for each patient and include the following
  - Recommended level of care (duration/frequency of visits)
  - Specific treatment goals (with documentation of progress or lack thereof within the clinical records)
  - Objective measures to evaluate treatment effectiveness (with qualitative and/or quantitative measures)

Medical Necessity Documentation

- Use of objective measures at beginning of treatment, during and/or after treatment is recommended to quantify progress and support justifications for continued treatment
- Treatment effectiveness must be assessed at appropriate intervals during subsequent visits (objective measurable goals)

Medical Necessity Documentation

- For patients who **have not achieved** the goals documented in the plan of care, the practitioner should **conclude the episode** of chiropractic care in the last visit by documenting the clinical factors that contributed to the inability to meet the stated goals in the treatment plan

Documentation of Subluxation

- The **precise level of subluxation** must be specified by the chiropractor to substantiate a claim for manipulation of the spine
- The level of spinal subluxation **must bear a direct causal relationship** to patient's symptoms, and symptoms must be directly related to level of subluxation that has been diagnosed

Documentation of Subluxation

- X-ray
  - 12 months before/three months after
  - CT/MRI
- Physical exam
  - Pain/tenderness
  - Asymmetry/misalignment
  - ROM abnormality
  - Tissue, tone, texture and temperature changes
    - Must have two of the four mentioned above, one of these must be asymmetry or ROM abnormality

Medical Necessity Documentation-Prolonged Treatment

- The need for an extensive, prolonged course of treatment must be **clearly documented** in the medical record
- Treatment should result in **improvement** or **arrest** of deterioration of subluxation within a **reasonable** and **generally predictable** period of time

Documentation of History

- Patient's history should include the following
  - Symptoms causing patient to seek treatment
  - Family history, if relevant
  - Past health history (general health, prior illness, injuries, or hospitalizations; medications; surgical history)
  - Mechanism of trauma
  - Quality and character of symptoms/problem
  - Onset, duration, intensity, frequency, location and radiation of symptoms
  - Aggravating or relieving factors, and
  - Prior interventions, treatments, medications, secondary complaints

Documentation of Initial Visit

- All components of history
- Description of present illness
- Evaluation
- Diagnosis
- Treatment plan
- Date of initial treatment
- Signature

Documentation of Subsequent Visits

- **History** (review chief complaint, changes)
- **Physical exam** (progress, presence/absence of subluxation)
- **Documentation of treatment** (given on day of treatment)
- **Progress or lack** of related to goals/plan of care
- **D/C** when no further progress (or give an ABN)

Medicare Coverage

- Break down of key points
  - **Significant** health problem in the form of a neuro-musculoskeletal condition
  - Services have a **direct** therapeutic effect
  - **Reasonable** expectation of recovery or improvement of function
  - Subluxation

Covered Services

- CPT/HCPCS codes
  - Chiropractic manipulative treatment
    - 98940 CMT; spinal, one to two regions
    - 98941 CMT; spinal, three to four regions
    - 98942 CMT; spinal, five regions
- Regions: cervical region (atlanto-occipital joint), thoracic region (costovertebral/costotransverse joints), lumbar region, pelvic region (sacro-iliac joint) and sacral region

ICD-10 Codes

- M99.01 Segmental/somatic dysfunction cervical region
- M99.02 Segmental/somatic dysfunction thoracic region
- M99.03 Segmental/somatic dysfunction lumbar region
- M99.04 Segmental/somatic dysfunction sacral region
- M99.05 Segmental/somatic dysfunction pelvic region

Medicare Coverage

- Coverage is specifically limited to treatment by means of manual manipulation i.e., by use of hands
- **Manual devices** may be used but **no additional payment** is available for use of the device

Utilization Guidelines

- A chiropractic manipulation service for a beneficiary can only be reimbursed once per day
- The frequency and duration of chiropractic treatment must be **medically necessary** and based on the **individual patient's condition** and response to treatment
- Medical necessity determines visits/no set number of visits

Noncovered Services

- The following services are considered noncovered services when ordered, performed, or interpreted by a chiropractor
  - Labs
  - Physical therapy (CPT 97140)
  - X-rays
  - Massage
    - Use the GY modifier when billing these services

Coding Guidelines

Coding Guidelines

- One diagnosis required on all claims
  - Precise level of the subluxation (region of spine) must be listed as the primary diagnosis
  - Resulting disorders (condition) are to be listed as secondary diagnosis in medical record
- Date of initial treatment/exacerbation of existing condition
  - Must be entered in Item 14 of the CMS-1500 claim form or the electronic equivalent

Coding Guidelines

- If using an X-ray as documentation of the subluxation
  - the date of the X-ray (or existing MRI or CT scan) must be entered in Item 19 of the CMS-1500 claim form or the electronic equivalent
- Modifier AT (acute treatment) used for medically necessary manipulation

Administrative Simplification Compliance Act

ASCA Requirements for Paper Claim Submissions

- All Medicare claims are required to be submitted electronically, with limited exceptions
- Requirements
  - You must meet one of the ASCA exception criteria
    - Small practice –fewer than ten full-time employees (Part B)
    - No method for submitting claims electronically
    - Unusual circumstances
  - Complete the ASCA Waiver Request Form
  - Provide supporting documentation
  - ASCA Waiver Requirements

Significant Facts for Successful Chiropractic Billing

Medical Record Documentation Requirements for Initial and Subsequent Visits (SE1601)

- Majority of denials due to insufficient documentation or other documentation errors
  - Indication of "pain" is insufficient
- Two ways the level of subluxation may be specified in the patient's record
  - May refer either to the condition of the spinal joint involved or
  - Direction of position assumed by the particular bone named
- MLN Matters® *SE1601 Revised: Medical Record Documentation Requirements for Initial and Subsequent Visits*

Use of the AT Modifier for Chiropractic Billing (SE1602)

- Active Treatment (AT) modifier
  - Not used if maintenance therapy is being performed
- Acute and Chronic Subluxation may be covered as long as there is active treatment which is well documented and improvement is expected
- MLN Matters® *SE1602 Revised: Use of AT Modifier for Chiropractic Billing*

Educational Resources to Assist Chiropractors with Medicare Billing (SE1603)

- Article provides the correct resources providers should be accessing to properly bill Medicare
  - Enrollment Information
  - Coverage, Documentation, and Billing
- MLN Matters® *SE1603 Revised: Educational Resources to Assist Chiropractors with Medicare Billing*

Billing Medicare for Therapy Services

- Noncovered "always therapy" services must be submitted according to the therapy guidelines along with one of the therapy modifiers
  - GN - Service delivered under an outpatient speech-language pathology plan of care
  - GO - Service delivered under an outpatient occupational therapy plan of care
  - GP - Service delivered under an outpatient physical therapy plan of care
- Claims submitted without an appropriate modifier will be returned to provider
- Claims will be appropriately denied as noncovered only with a valid modifier
- Annual Therapy Update

Timely Claims Filing Requirement

- Claims not submitted timely are provider-liable
  - Beneficiary cannot be charged
- For claims submitted with spanned dates of service, the line item "From" date will be used to determine the date of service and filing timeliness
- If a line item "From" date is not timely, but the "To" date is timely, the line item will be split and deny the untimely services

Submitting Duplicate Claims

- May delay payment
  - Resubmitting your claim prior to receiving a determination is considered an inappropriate billing practice
  - Increases administrative costs to the Medicare Program and the provider
- Could cause you to be identified as an abusive biller; or may result in an investigation for fraud if a pattern of duplicate billing is identified

Unprocessable

- Information is
  - Invalid
  - Missing
  - Insufficient
  - Incomplete
- Claims will be rejected
- Must submit a new claim
- No appeal rights granted

Unprocessable

- Methods for rejection
  - Remittance advice shows an MA130
  - Additional remark codes used to identify the error
- Paper claims are screened
  - Form letter sent back indicating the error
- Electronic claims
  - Fail initial edits

JK Contact Information

- **IVR:** 877-869-6504
- **Provider Contact Center:** 866-837-0241
- **EDI Helpdesk:** 888-379-9132
- **Provider Enrollment:** 888-379-3807
- **Correspondence**
  - National Government Services, Inc.
    P.O. Box 6189
    Indianapolis, IN 46206-6189

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- **IVR:** 877-908-9499
- **Provider Contact Center:** 866-234-7340
- **EDI Helpdesk:** 888-379-9132
- **Provider Enrollment:** 877-908-8476
- **Correspondence**
  - National Government Services, Inc.
    Attn: Written Inquiries
    P.O. Box 6475
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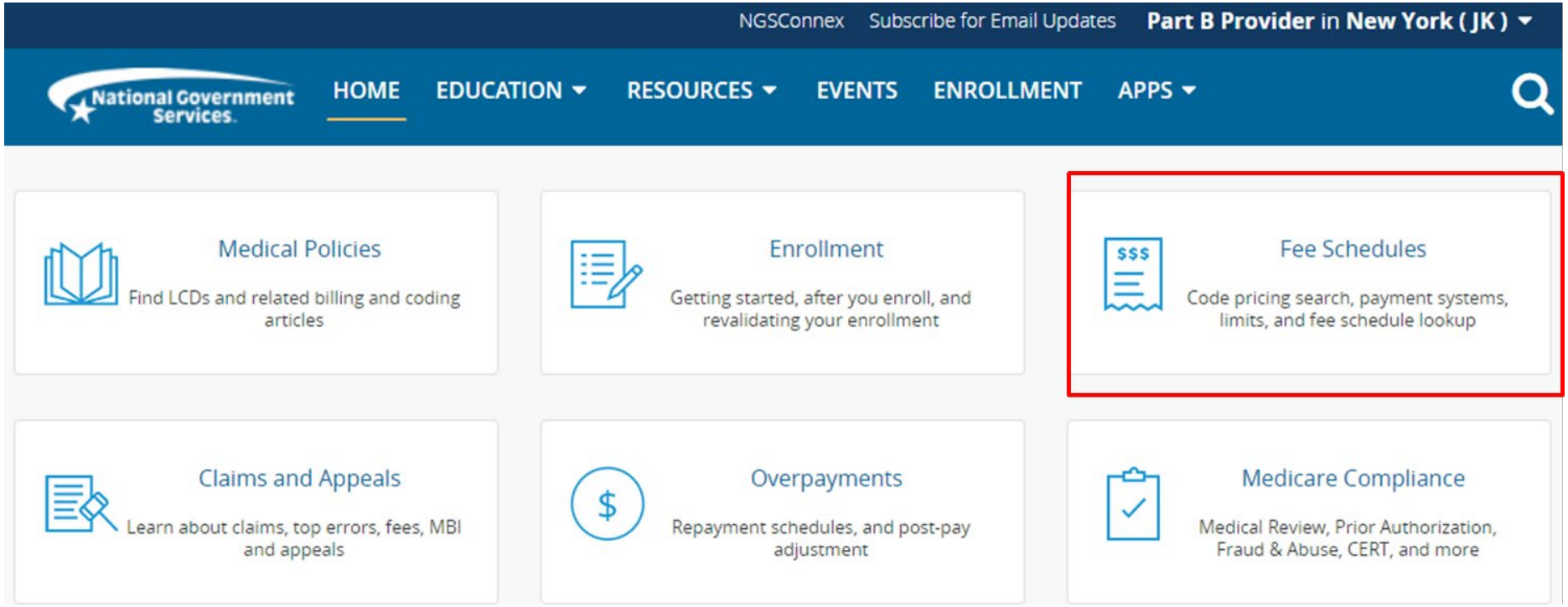
Fee Schedules



Fee Schedule Lookup

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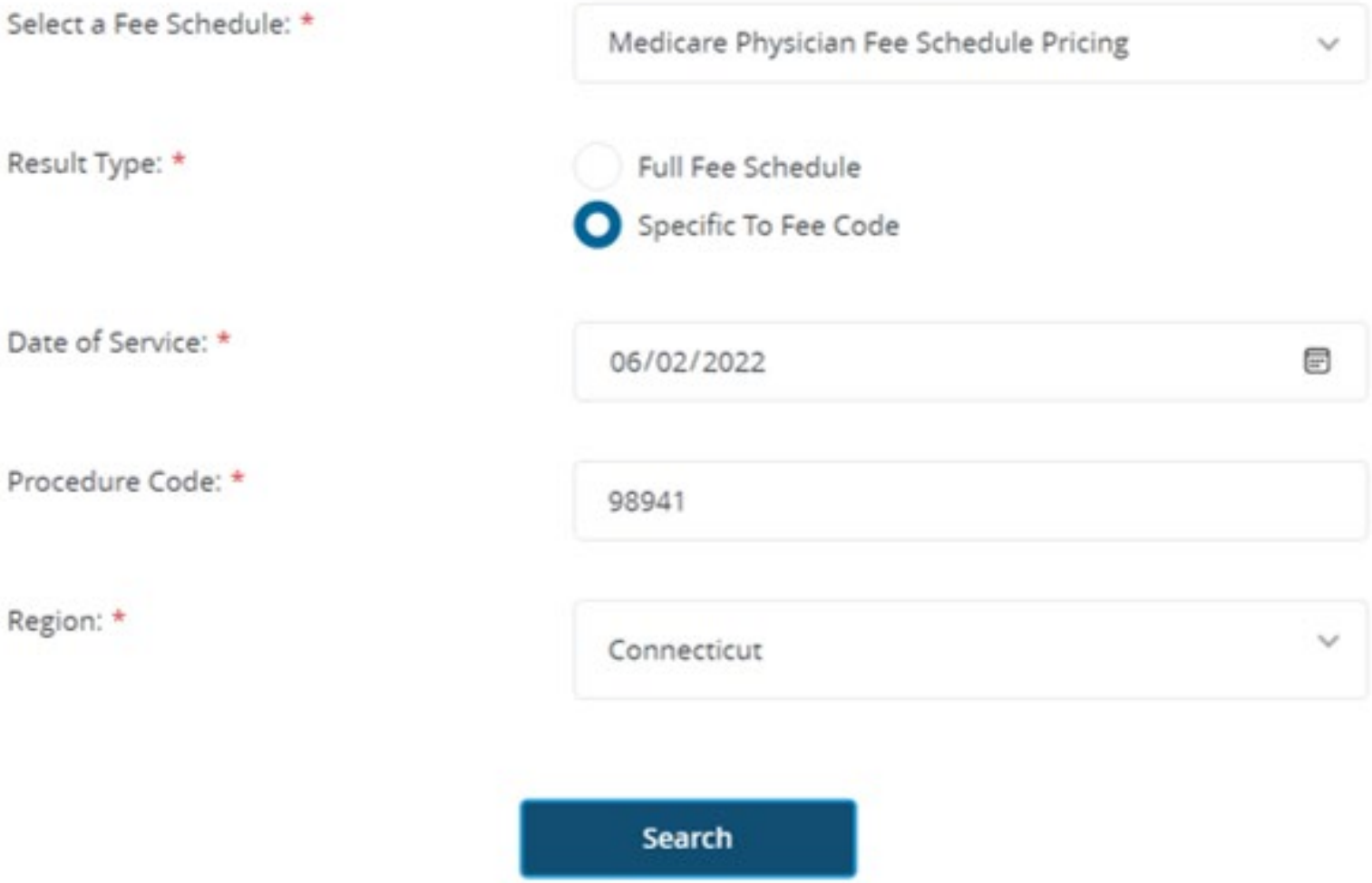
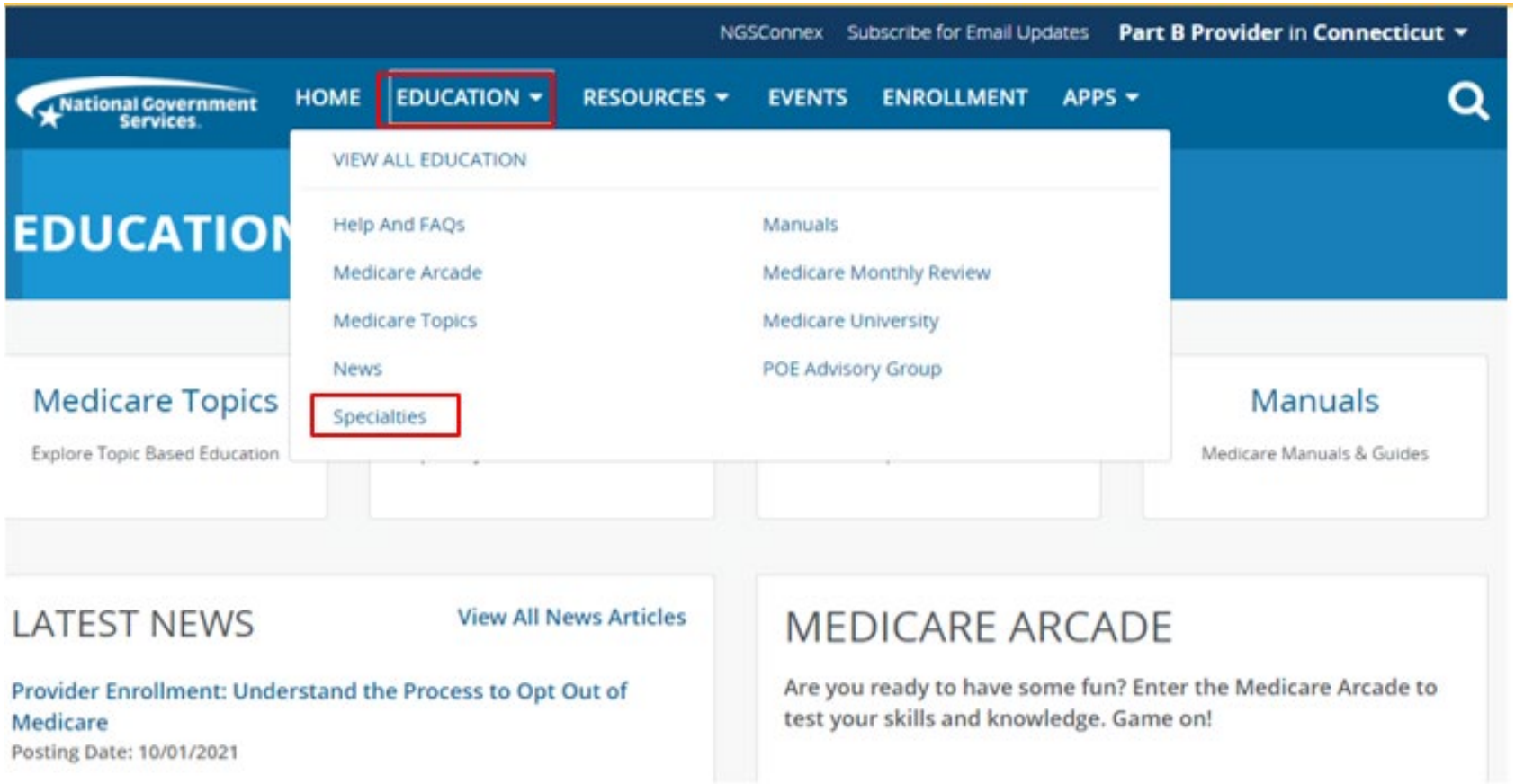


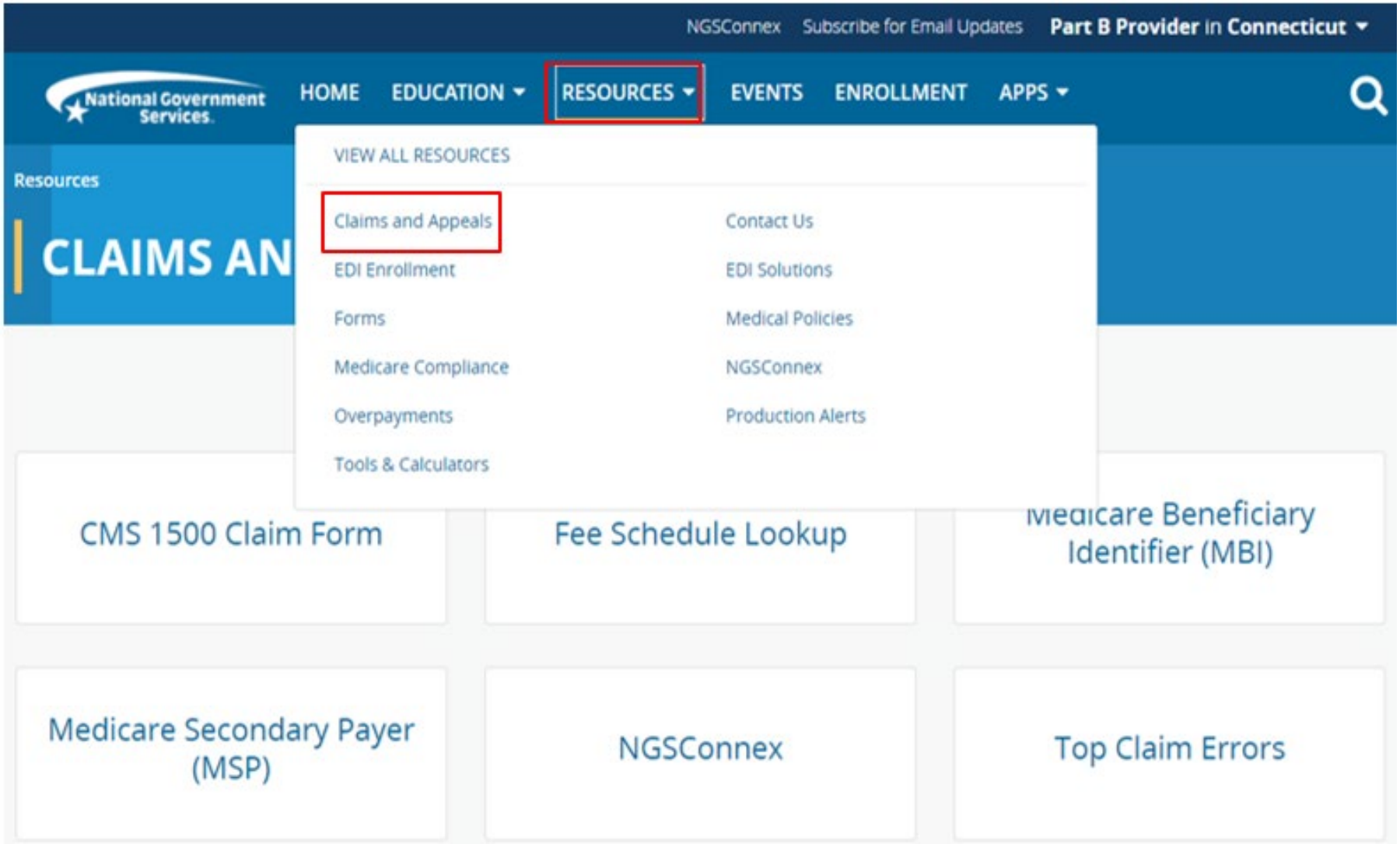
Education Resources



SPECIALTIES

Select a Specialty to Learn More!

Ambulance	Anesthesia	Cardiac
Chiropractic Services	Dental	Durable Medical Equipment, Prosthetics, Orthotics and Supplies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CMS 1500 Claim Form
Fee Schedule Lookup
Medicare Beneficiary Identifier (MBI)
Medicare Secondary Payer (MSP)
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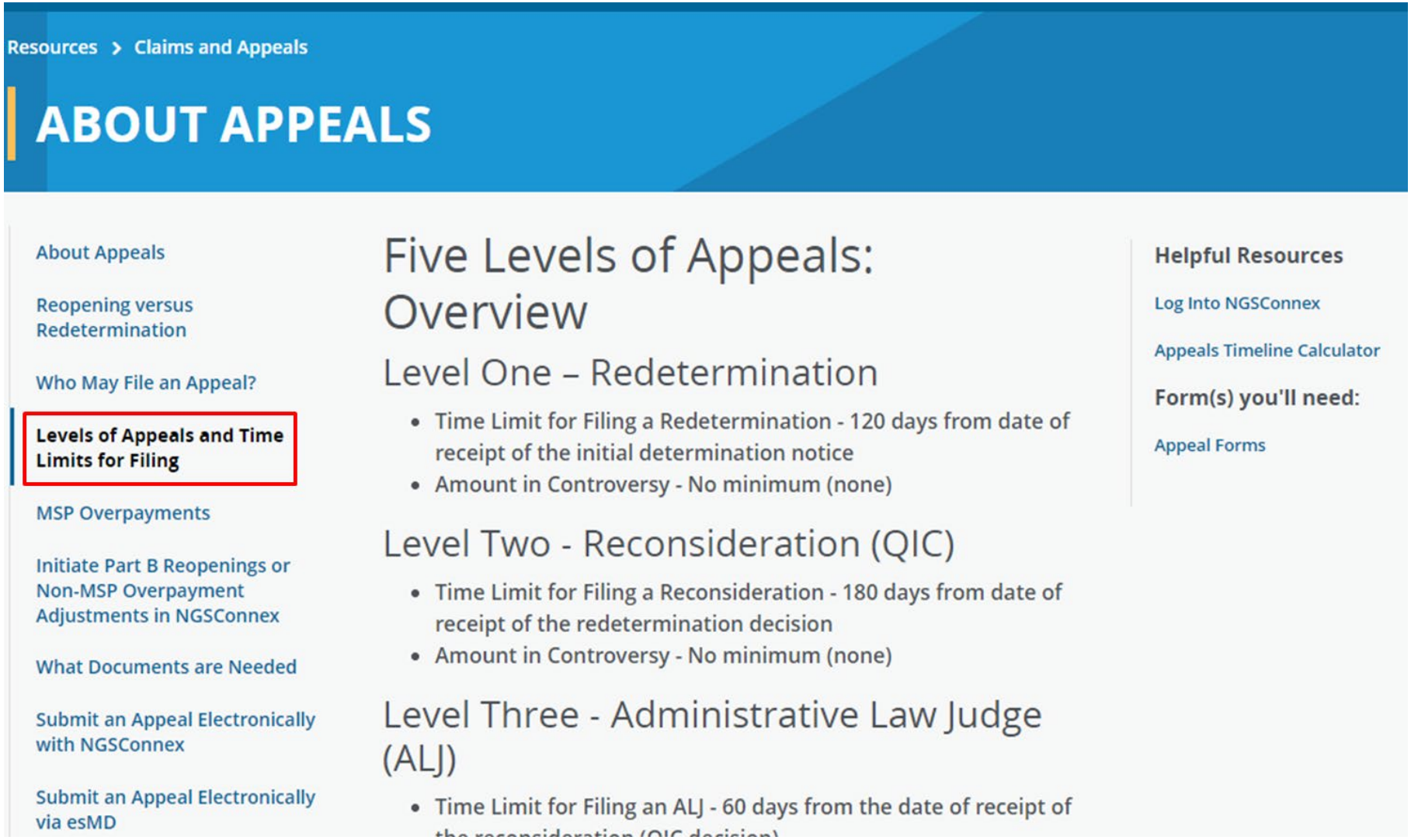
Top Claim Errors


Resources > Claims and Appeals
ABOUT APPEALS
About Appeals
Reopening versus Redetermination
Who May File an Appeal?
Levels of Appeals and Time Limits for Filing
MSP Overpayments
Initiate Part B Reopenings or Non-MSP Overpayment Adjustments in NGSConnex
What Documents are Needed
Submit an Appeal Electronically with NGSConnex
Submit an Appeal Electronically via esMD
Five Levels of Appeals: Overview
Level One – Redetermination
Time Limit for Filing a Redetermination - 120 days from date of receipt of the initial determination notice
Amount in Controversy - No minimum (none)
Level Two - Reconsideration (QIC)
Time Limit for Filing a Reconsideration - 180 days from date of receipt of the redetermination decision
Amount in Controversy - No minimum (none)
Level Three - Administrative Law Judge (ALJ)
Time Limit for Filing an ALJ - 60 days from the date of receipt of
Helpful Resources
Log Into NGSConnex
Appeals Timeline Calculator
Form(s) you'll need:
Appeal Forms

ABOUT APPEALS

Reopening versus Redetermination

Understanding your next steps are very important for quick reimbursement and providers are required to know the difference between a reopening or a redetermination.

- **A reopening** is a reprocessing of a claim to fix minor mistakes.
- **A redetermination** is an examination of a claim that includes analysis of documentation.

Providers are encouraged to register for NGSConnex. Providers who are registered to use NGSConnex, should use this option to submit reopening requests electronically.

This guide distinguishes the differences between a reopening and redetermination. Please review and share this information with anyone in your organization who can benefit from this guide.

Helpful Resources

Log Into NGSConnex

Appeals Timeline Calculat

Form(s) you'll need:

Appeal Forms

Contacting the Telephone Reopening Unit

- Part B TRU Line
  - J6: 877-867-3418
  - JK: 888-812-8905
    - Each state will have a different option
- When calling TRU, provide the following information
  - Beneficiary's name
  - Medicare Health Insurance Claim Number/MBI
  - Your full name (first and last name)
  - Your phone number
  - Provider's name (Name listed on the Medicare Remittance Advice)
  - PTAN
  - Date(s) of service in question
  - Item or service in question
  - Reason for request

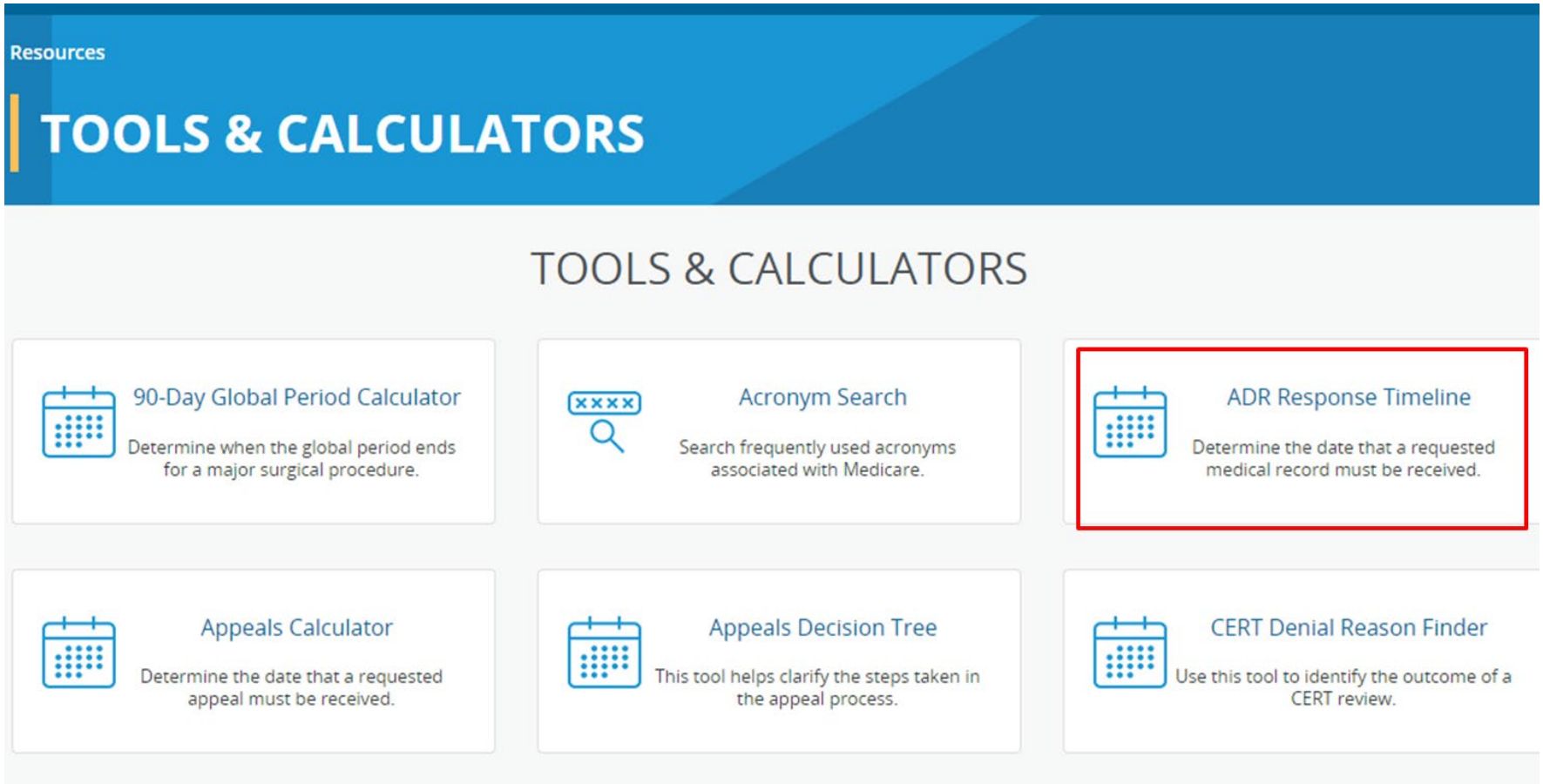
TRU Changes

- TRU reopenings may be done for
  - Assignment of claims (contractor errors only)
  - Adding/changing ordering/referring/supervising physician
  - Add/change rendering provider
  - POS Changes
  - CLIA certification denials
  - Duplicate denials
  - Medicare Advantage plan denials (clinical trial or hospice only)
  - Modifier GV and GW
  - Fee schedule corrections (contractor error only)
  - HICN/MBI corrections (contractor error only)
  - Patient paid amount (contractor error only)
  - MSP (Medicare now primary)
- All other requests need to be done through NGSConnex or in writing

Record Requests Documentation Tips

- Respond to an ADR within 45 days (30 days recommended)
- Documentation
  - Legible
  - Copy both sides
  - Signatures
  - Do not bind records together
  - Do not highlight records
  - Do not tab records
  - Make sure the ADR request matches the records sent

Calculators & Tools



Signature Requirements

- Signature requirements for medical documentation
  - Stamped signatures are not acceptable on any medical record
  - Legible identifier for services provided and ordered must be indicated
    - Handwritten, electronic signatures or facsimiles of original written or electronic signatures will be accepted for medical review purposes
  - Claims not meeting the signature requirements will be denied
  - MLN® Fact Sheet *Complying With Medicare Signature Requirements ICN 905364*

NGSConnex

What Is NGSConnex - Free Program

- Only need Internet access and email address
- NGSConnex
  - Beneficiary eligibility/therapy caps
  - Claim status-duplicate claim status
  - Financial data/provider demographics
  - Ability to order/download duplicate remittances
  - Redeterminations /reopenings
  - Inquiries
  - Submission of medical records (ADR request)
  - Print and view appeal letters
  - Claims submission
  - Preventive services

What is NGSConnex?

NGSConnex is a free, secure, web-based application developed by National Government Services just for you! NGSConnex provides access to a wide array of self-service functions that save you time and money, such as:

- Obtain beneficiary eligibility information
- Query for your claims status
- Initiate and check the status of redetermination and reopening requests
- View your provider demographic information
- Query for your financial data
- Submit documents for an Additional Documentation Request
- Submit claims
- And More!

Hours of Availability

- NGSConnex is available 24/7
- Information obtained from the local system is only available
  - Monday–Friday: 7:00 a.m.–6:00 p.m. ET
  - Saturday: 7:00 a.m.–3:00 p.m. ET
- Not available during system upgrades or maintenance

Coverage and Billing Resources

- CMS IOM Publication 100-02, *Medicare Benefit Policy Manual,* Chapter 15
  - Section 30.5, "Chiropractor's Services"
  - Section 240, "Chiropractic Services-General"
  - Section 240.1.1, "Manual Manipulation"
  - Section 240.1.2, "Subluxation May Be Demonstrated by X-ray or Physician's Exam"
  - Section 240.1.3, "Necessity for Treatment"
  - Section 240.1.4, "Location of Subluxation"
  - Section 240.1.5, "Treatment Parameters"

Additional Resources

- MLN® Educational Tool *Medicare Documentation Job Aid For Doctors Of Chiropractic*
- Medicare Needs Better Controls to Prevent Fraud, Waste, and Abuse Related to Chiropractic Services

Thank You!

- Follow-up email
  - Attendees will be provided a Medicare University Course Code
- Questions?

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