

HEART BEAT

The monthly newsletter from The OSCA

Summer 2018

5-9 Modifier Denials - UPDATE

Billing for Chiropractic Manipulation Therapy

When billing for a chiropractic adjustment, which chiropractic manipulation therapy (“CMT”) code to use (CPT codes 98940-98942) is determined by the number of regions treated. These codes also include within them a pre/post assessment. If you determine, for example, that your patient is tense or has muscle tightness in the associated region and you need to provide a few minutes of muscle work (trigger point, PNF, myofascial release, etc.) before providing the adjustment, this is included in the CMT for the above-listed range of CPT codes.

Billing for Manual Therapy/Soft Tissue Work

If you provide manual therapy/soft tissue work (PNF, myofascial release, lymphatic drainage, etc.), and meet the 15-minute threshold, you have met the requirement to bill CPT code 97140, subject to the requirements described below.

Billing for CMT and Manual Therapy/Soft Tissue Work Together

DCs often want to know the rules for getting paid for providing CMT and manual therapy/soft tissue work *at the same visit*. Due to National Correct Coding Initiative (“NCCI”), a sort of checks and balances system developed by Medicare and utilized by insurance companies, an edit exists when providers perform an adjustment and manual therapy/soft tissue work at the same visit, by the same provider.

The general rule is that 97140, when provided in conjunction with CMT to the same region, is not reimbursed separately. However, 97140 services performed on a separate encounter (i.e., another visit) *or* to a different region than the CMT at the same visit *are* reimbursable. For example, if a DC provides CMT in the cervical region and also does the 97140 service in the cervical region, 97140 will not be paid, even if you perform the 97140 service for the appropriate amount of time. If you only have one region of diagnosis and want to be paid for the CMT *and* 97140, the patient would need to return for a separate visit for the 97140 service. Conversely, to be paid for *both* services on the *same* visit, you would need another region of diagnosis, such as lumbar spine. In that region, you could perform the 97140 service - but *not* a CMT.

Because of the NCCI edit, generally insurance companies require that, to be paid for both the 97140 and CMT as described above, they must be billed using the “59 modifier”. The 59 modifier communicates to the insurance company that billing for both the CMT and the 97140 service is appropriate because the services were provided to two separate regions of the body. Billing without the 59 modifier will cause the 97140 service to deny because the NCCI edits say that, without the 59 modifier, the CMT and 97140 should not be paid on the same visit. Providers often provide manual therapy/soft tissue work in the SAME region as the adjustment; based on the billing requirements, this does not constitute appropriate use of the two codes together.

Keep in mind, this does not mean that the doctor didn’t provide treatment that was

medically necessary and with favorable outcomes. It just means that its use does not meet the criteria required for billing.

The OSCA is actively working to update/change the NCCI edits related to the use of CMT codes and 97140 codes, and other codes that require the 59 modifier. However, currently and until any changes are made, make sure you are utilizing these codes correctly.

Utilization of a Licensed Massage Therapist in a Chiropractic Office

Another topic that has come up recently is the utilization of a Licensed Massage Therapist in a chiropractic office.

LMTs are not included in the category of physician extender and, therefore, it cannot be assumed that the DC can delegate the application of massage to the LMT and bill it under the DC's billing number. While some insurance companies do cover massage, many specify that it must be provided by the doctor. If a health plan has this limitation, and the doctor delegates the service to the LMT, but bills the service under the doctor's name/number, this is not an appropriate billing practice.

If you are concerned that you may not be billing something – anything – appropriately, please contact the OSCA or a health care attorney. Additionally, it is always good practice to check each insurance company's billing manual before you begin providing and billing for services. This allows you to avoid any potential problem before it occurs.

The 2018 OSCA Convention is Coming Up!

Power of the Past, Force of the Future

We are excited to announce new details for the 2018 OSCA Annual Convention. This year's theme is **Power of the Past, Force of the Future**. It's all about respecting the past of Chiropractic and everything it has taken to get the profession to where it is today, and how we can take that momentum forward to be the force we know we can be! We have some great speakers lined up for you, as well! Dr. Sherry McAllister from F4CP will be speaking about the challenges facing American Healthcare and the value of chiropractic in the equation. Dr. Dean DePice will be discussing strokes and research. We have more speaker announcements and a full schedule of events coming soon! Visit www.OhioChiroCon.org for more details.

As you know, the 2018 Annual Convention will be held October 26th- 28th at the Marriott Columbus University. We will have new exhibitors, great social events, and more time to connect and build relationships with other Ohio DCs! In addition to the brand new location, we will be bringing back Gala - with a twist! Gala this year will have a theme: **The Roaring Twenties!** So grab your suspenders and your flapper dresses and get ready for a night of fun with your colleagues! We will be announcing more details on how to sign up soon, so keep your eyes peeled!



The Ohio State Chiropractic Board Offers Opinion on CBD Oil

In case you missed it, the Ohio State Chiropractic Board has offered an opinion on CBD oil sales in the wake of the passage of House Bill 523. Here is the official statement:

Medical Marijuana Products: *House Bill 523, effective September 8, 2016, legalized medical marijuana in Ohio. HB 523 does not make a distinction between CBD oil derived from hemp and CBD oil derived from marijuana. CBD oil is included in the definition of marijuana, whether as an extract or wholly synthesized. As such, licensees are prohibited from administering, selling, distributing, recommending or providing advice regarding CBD oil and hemp oil. If you have questions regarding medical marijuana please visit the [Ohio Medical Marijuana Control Program website](#) for information.*

The OSCA has received many calls and questions regarding this topic over the years. We had our legal counsel, Daphne Kackloudis of BMD, look into the issue. The conclusion of the OSCA legal counsel is that “CBD is a controlled substance that should not be treated as anything less until formal actions are taken to change CBD’s status.” Therefore, it is the position of the OSCA that products containing CBD should not be used to treat or sold to patients.

Upcoming Events



Chiropalooza- July 14th

Chiropalooza 2018 is right around the corner! All DCs around the state are invited for this summer party!

When: Saturday, July 14th

Where: Dr. Chidester Residence
1701 Old Oxford Rd.
Hamilton, OH 45013

Party Starts: 4 pm
For questions or to RSVP: Dr. Chidester at drcomhwc@yahoo.com

Orthopedic Diplomate Program

There is still time to sign up for the Fall Diplomate Program! Remember that EVERYONE will get a \$250 rebate if more than 10 people participate. Tell your friends to join you! It is a great way to advance your practice and earn more money! For a reminder, here are the dates:

- **August 4-5:** Whiplash Associated Disorders: The Pathway from Acute to Chronic Pain (10 hours). James J. Lehman, DC, MBA, FACO
- **September 15-16:** Lumbopelvic Pathology and Related Neuromusculoskeletal Functional Deficits. (10 hours). Tim Bertelsman DC, CCSP,

Orthopedic
Diplomate

DONT MISS OUT

Program

5 WEEKENDS | STARTING AUG. 4

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FACO

- **October 6-7:** Differential Diagnosis of Neuromusculoskeletal Conditions. (10 hours). James Demetrious, DC, FACO
- **November 3-4:** Practical Assessment of the Chiropractic Patient: Efficiency in Orthopedic and Neurological Testing (10 hours). Jeffrey K. Miller, DC, MBA, FACO
- **December 1-2:** Mastering the Assessment and Management of Shoulder and Upper Extremity Problems (10 hours) Brandon Steele DC, FACO

[To register, click here!](#)

Visit www.oscachiro.org for more events

Affiliate Spotlight

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