

National Correct Coding Initiative

Correct Coding Solutions, LLC
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December 13, 2018

Ms. Jenna W. Minton, Esq.
President of Minton Healthcare Strategies
On behalf of the ABA Services Steering Committee:
Association for Behavior Analysis International,
Association of Professional Behavior Analysts,
Autism Speaks, Behavior Analyst Certification Board
509 Walbridge Drive
East Lansing, MI 48823

Dear Ms. Minton:

I thank you for your letter dated December 7, 2018 in which you request reconsideration of the Medically Unlikely Edit (MUE) values for CPT code **97151** (Behavior identification assessment, administered by a physician or other qualified health care professional, each 15 minutes of the physician's or other qualified health care professional's time face-to-face with patient and/or guardian(s)/caregiver(s) administering assessments and discussing findings and recommendations, and non-face-to-face analyzing past data, scoring/interpreting the assessment, and preparing the report/treatment plan) and CPT code **0373T** (Adaptive behavior treatment with protocol modification, each 15 minutes of technicians' time face-to-face with a patient, requiring the following components:

- administration by the physician or other qualified health care professional who is on site;
- with the assistance of two or more technicians;
- for a patient who exhibits destructive behavior;
- completion in an environment that is customized to the patient's behavior).

We discussed your correspondence with the Centers for Medicare & Medicaid Services (CMS) which owns MUE and determines its contents.

CPT Code 97151 – CMS will implement Medicare and Medicaid MUE values of eight (8) for practitioner (PRA) and outpatient hospital services (OPH) in the January 1, 2019 version of MUE.

CMS will increase the *Medicaid* PRA MUE and OPH MUE values to thirty-two (32). This change will appear in the April 1, 2019 version of MUE and will be retroactive to January 1, 2019.

CMS will retain *Medicare* MUE values of eight (8). These MUEs are date of service edits for Medicare.

CPT Code 0373T – CMS will implement Medicare and Medicaid MUE values of twenty-four (24) for practitioner (PRA) and outpatient hospital services (OPH) in the January 1, 2019 version of MUE.



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CMS will increase the *Medicaid* PRA MUE and OPH MUE values to thirty-two (32). This change will appear in the April 1, 2019 version of MUE and will be retroactive to January 1, 2019.

CMS will retain *Medicare* MUE values of twenty-four (24). These MUEs are date of service edits for Medicare. CMS derived the MUE value of twenty-four from the current MUE values for HCPCS codes **0373T** (Exposure adaptive behavior treatment with protocol modification requiring two or more technicians for severe maladaptive behavior(s); first 60 minutes of technicians' time, face-to-face with patient) and **0374T** (Exposure adaptive behavior treatment with protocol modification requiring two or more technicians for severe maladaptive behavior(s); each additional 30 minutes of technicians' time face-to-face with patient (List separately in addition to code for primary procedure)). The current MUE value for CPT code 0373T is one (1) representing sixty (60) minutes. The current MUE value for CPT code 0374T is ten (10) representing three hundred (300) minutes. When three hundred sixty (360) minutes is divided by the new unit of service (UOS) for CPT code 0373T which is fifteen (15) minutes effective January 1, 2019, the resultant figure is 24 UOS corresponding to an MUE value of twenty-four (24).

If billed units of service (UOS) for a HCPCS/CPT code are denied based on an MUE value, the provider may appeal the denial. Medicare Administrative Contractors (MACs) and state Medicaid fee-for-service programs may pay UOS in excess of the MUE value if documentation supports medically reasonable and necessary UOS in excess of the MUE value.

A provider shall not utilize an Advanced Beneficiary Notice (ABN) to seek payment from a Medicare beneficiary for services denied based on an MUE. An MUE denial of services is a provider liability. CMS and we appreciate your comments.

Sincerely,

Signed electronically by Niles R. Rosen, M.D.

Niles R. Rosen, M.D.
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Cc: Renee Graves-Dorsey, CMS COR for NCCI/MUE Programs
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