



UPDATE: Proposed Rule - 2013 Work RVUs for CY 2013 New, Revised, and Potentially Misvalued Codes

The CPT Editorial Panel replaced the current psychiatry/psychotherapy CPT codes with a new structure that allows for the separate reporting of E/M codes, eliminates the site-of-service differential, establishes CPT codes for crisis, and creates a series of add-on codes to describe interactive complexity and medication management. CMS notes that some of the new codes, those for psychotherapy for crisis, interactive complexity, and pharmacologic management, have not yet been surveyed, and says it intends to review the values for all codes in the family again after this is done.

CMS notes that the CPT prefatory language for the new psychiatric diagnosis codes allows for reporting of these codes more than once when an informant is "seen in lieu of the patient." CMS warns that Medicare only pays for services provided to diagnose or treat a Medicare beneficiary, and that obtaining information from relatives or close associates should not substitute entirely for an evaluation of the patient. CMS adds that when a physician contacts their patient's relatives or associates to secure background information to assist in diagnosis and treatment planning, the expenses of such interviews are properly chargeable as physicians' services to the patient on whose behalf the information was secured. CMS also notes that family counseling services are covered only where the primary purpose of such counseling is the treatment of the patient's condition. Thus, counseling principally concerned with the effects of the patient's condition on the individual being interviewed would not be reimbursable as part of the physician's personal services to the patient. CMS believes that CPT codes 90791 and 90792 may be used for diagnosis through a relative or close associate providing direct care for the patient when the focus of the service is gathering additional information about the beneficiary, and cannot substitute for an evaluation of the beneficiary. CMS intends to monitor the frequency of billing for diagnostic evaluations per patient.

A second issue relates to the fact that the new stand-alone psychotherapy codes (CPT 90832, 90834, and 90837), which do not include medical services and which CMS expects will typically be billed by clinical psychologists and licensed clinical social workers, describe time spent with the patient and/or family member, while the corresponding CY 2012 CPT codes describe only time spent with the patient. CMS says it would expect psychotherapy codes to be billed only when the beneficiary is present for a significant portion of the service.

The AMA RUC recommended contractor pricing for new add-on code CPT 90785 for interactive complexity but CMS concludes that it has sufficient information to assign an interim work value (0.11). CMS clarifies that this code should not be billed solely for the purpose of translation or interpretation services, since doing so is likely to conflict with several federal laws, including the Rehabilitation Act, the Americans with Disabilities Act and the Civil Rights Act.

The AMA RUC recommended contractor pricing for two new CPT codes for psychotherapy when a patient is in crisis (CPT 90839 and 90840) and CMS agrees.

For CY 2013, psychiatrists will bill the appropriate E/M code when furnishing pharmacologic management services. The CPT Editorial Panel created an add-on code (90863) to describe medication management by a nonphysician when furnished with psychotherapy. CMS acknowledges that clinical psychologists have been granted prescribing privileges in Louisiana and New Mexico but concludes that their use of the new code would not be appropriate because it implies medical management, in part due to the code's reference to "medical psychotherapy." Thus, on an interim basis for CY 2013, CMS is assigning CPT code 90863 a PFS procedure status indicator of I (Not valid for Medicare purposes). Medicare uses another code for the reporting of and the payment for these services.

90785	Psytx complex interactive	New	Contractor Priced	0.11	Interim	N/A
90791	Psych diagnostic evaluation	New	3.00	2.80	Interim	No
90792	Psych diag eval w/med srvc	New	3.25	2.96	Interim	No
90832	Psytx pt&/family 30 minutes	New	1.50	1.25	Interim	No
90833	Psytx pt&/fam w/e&m 30 min	New	1.50	0.98	Interim	No
90834	Psytx pt&/family 45 minutes	New	2.00	1.89	Interim	No
90836	Psytx pt&/fam w/e&m 45 min	New	1.90	1.60	Interim	No
90837	Psytx pt&/family 60 minutes	New	3.00	2.83	Interim	No
90838	Psytx pt&/fam w/e&m 60 min	New	2.50	2.56	Interim	No
90839	Psytx crisis initial 60 min	New	Contractor Priced	Contractor Priced	N/A	N/A
90840	Psytx crisis ea addl 30 min	New	Contractor Priced	Contractor Priced	N/A	N/A
90845	Psychoanalysis	1.79	2.10	1.79	Interim	Yes
90846	Family psytx w/o patient	1.83	2.40	1.83	Interim	Yes
90847	Family psytx w/patient	2.21	2.50	2.21	Interim	Yes
90853	Group psychotherapy	0.59	0.59	0.59	Interim	Yes

(Prepared by Health Policy Alternatives)