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## ATTENTION ALL OMH-LICENSED ARTICLE 31 MENTAL HEALTH CLINICS CLAIMS SUBMISSION REMINDER REGARDING ATTENDING AND REFERRING PROVIDERS July 24, 2020

This purpose of this memo is to clarify and restate OMH policies regarding the allowable use of the “attending” and “referring” provider fields on Medicaid claims for OMH licensed clinic treatment programs, including the permissible use of the billing agency NPI and unlicensed provider ID (02249154) on those claims. This guidance is consistent with recent audit findings by both the Centers for Medicare & Medicaid Services (CMS) and the NYS Office of the State Comptroller (OSC).

As further explained below, the referring and attending fields of clinic claims must contain a Type 1 NPI.<sup>1</sup> This requirement has been in effect since January 2014, as described in the [December 2013 NYS Medicaid Update](#). OMH will be taking additional measures to ensure providers are using Type 1 NPIs in the appropriate fields of claims. Failure to comply with this guidance may expose your clinic to Office of Medicaid Inspector General (OMIG) audit and overpayment liability. Additional information on this topic can be found in the [Part 599 guidance document](#) and the [February 2020 OPRA FAQs](#).

### Referring Practitioners

The referring field of the claim requires a Type 1 NPI of a Medicaid-enrolled provider. Please note that while Licensed Master Social Workers, Creative Arts Therapists, Marriage and Family Therapists, Mental Health Counselors, and Psychoanalysts can obtain a Type 1 NPI, they cannot currently enroll in NYS Medicaid. When they, or an unlicensed practitioner, are the attending provider reported on the claim, the Type 1 NPI of a Medicaid-enrolled provider must be added to the claim as the referring provider. The Type 2 NPI of the billing agency may not be included as the referring provider. OMH recommends that clinics use the Type 1 NPI of the Medicaid enrolled physician who approved the patient’s treatment plan or the NPI of the Medicaid enrolled practitioner who supervises the attending provider.

If the attending provider reported on the claim is enrolled in NYS Medicaid, the referring field may be left blank, as the attending provider will be considered the referring provider in this instance. This is the only time the referring practitioner may be left blank on a clinic claim. Do not use the unlicensed provider ID in the referring field or leave the referring field blank when the unlicensed provider ID is used in the attending field. Note that even though eMedNY will pay claims which do not contain a Type 1 NPI in the referring provider field, until such time that an edit is in place to deny these claims, it is the responsibility of the provider to ensure there is an appropriate Type 1 NPI on the claim form.

Referring providers do not need to be affiliated with the clinic (affiliation is described further below). However, referring providers must be enrolled Medicaid providers. Attending and referring providers may be enrolled with Medicaid as either billing providers, or as Order/Prescribe/Refer/Attend (OPRA) providers.

## Attending Practitioners

The attending field of the claim must be completed with the practitioner Type 1 NPI of the clinician who provided the service. The attending clinician may or may not be Medicaid-enrolled. If the clinician who provided the service is unlicensed, the unlicensed provider ID may be used in the attending field. Clinics may not use the unlicensed provider ID on any claims in which the clinician is licensed.

Note: All mental health clinic procedures provided to an individual on the same day and claimed using the same rate code must be submitted to eMedNY on the same claim. Currently there is only room for one attending provider NPI on the claim. There is no New York State requirement regarding which NPI should be placed on a claim when the claim contains multiple procedures. However, the clinic must include the NPI of one of the providers who performed one or more of the procedures on the claim. This must be verifiable in the clinic case files. In the example where an unlicensed practitioner and licensed practitioner both providing services to one individual on a day, it is recommended that the clinic use the Type 1 NPI of the licensed practitioner.

## Clinic Affiliation

Clinics, hospitals and other facilities billing Medicaid are required to maintain an up to date roster of Attending Providers whose NPI numbers may appear on their Medicaid claims. Claims may not contain an NPI of an attending provider that is not “affiliated” with the facility (i.e., included on the clinic roster). Attending providers may be affiliated with more than one clinic or clinic provider. To add clinician NPIs to the clinic roster, clinics may access the facilities [Affiliated Practitioners NPI Application](#) by going to [www.emedny.org](http://www.emedny.org) and clicking on "Enter Facilities Practitioner's NPIs" located in the green box on the right of the page. There is also a batch Facilities Practitioner's NPI Reporting (FPR) submission method, which was developed to accommodate facilities that have a large quantity of affiliations to record with NYS Medicaid. For information on the FPR, please visit [https://www.emedny.org/hipaa/NPI/Facility%20Practitioner%20NPI%20Reporting%20\(Batch%20Instructions\).pdf](https://www.emedny.org/hipaa/NPI/Facility%20Practitioner%20NPI%20Reporting%20(Batch%20Instructions).pdf)

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<sup>1</sup> There are two types of NPIs: Type 1 NPIs are issued to individual healthcare providers, (e.g., physicians, Licensed Clinical Social Workers, Licensed Mental Health Counselors). Type 2 NPIs are issued to organizations (e.g., facilities, hospitals, and agencies).



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## Questions?

For all questions and concerns regarding Facility Practitioner NPI Reporting, or for reporting assistance, please contact eMedNY Provider Services Call Center at 1-800-343-9000.

For all questions about communicating NPI information to NYS Medicaid, please contact New York State Provider Enrollment at (518) 474-8161.

For all questions about obtaining an NPI, visit the NPPES website:

<https://nppes.cms.hhs.gov/#/>

All other questions may be sent to OMH at:

For Fee-for-Service Medicaid claims: [medicaidffsbillinghelp@omh.ny.gov](mailto:medicaidffsbillinghelp@omh.ny.gov)

For Medicaid Managed Care claims: [OMH-Managed-Care@omh.ny.gov](mailto:OMH-Managed-Care@omh.ny.gov)