



Connecticut State Medical Society - IPA, Inc.

Building Partnerships Between Business and Medicine

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INCIDENT TO SERVICES

Who?

Incident to services can be performed by an individual who qualifies as an employee of the physician, for example Nurse Practitioner (NP), Physicians Assistant (PA), Certified Nurse Midwife (CNM). According to CMS, it seems not to matter who performs the services a doctor bills as incident-to his/her services as long all criteria for billing incident-to are met. Specifically, CMS's instructions to carriers states that these conditions apply to personnel "such as nurses, nonphysician anesthetists, psychologists, technicians, therapists (including physical therapists), and other aides." It mentions nothing about state licensure of these practitioners. That is because the physician is directly responsible for the actions of any of the personnel treating patients under his/her supervision.

What?

These are services that are integral to, although an incidental part of, a physician's professional service. These services are furnished under the 'direct' personal supervision (present in the office suite) of a physician.

Where?

Incident to services can be provided in the office setting, home or an institutional office. Incident to services cannot be billed by the physician in a hospital setting

When?

Services can be billed incident to if it is for an established patient for an established problem. In addition, the physician must have already seen the patient for the problem, initiate the course of treatment and provide subsequent services of a frequency that reflects active participation and management.

Why?

Why would a practitioner want to bill for services incident-to? Reimbursement. The physician is paid at 100% of the fee schedule. A nonphysician practitioner is generally reimbursed at 85% of the fee schedule.

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Rules to Remember:

- **Services may be billed incident-to if:**
 - The practitioner performing the service is an employee of the physician
 - The patient is an established patient with an established problem
 - If the physician is in the office suite
 - The physician has already seen the patient for the problem and established a course of treatment
 - The services being performed are within the scope of practice for the practitioner
- **Do not bill incident-to if:**
 - This is a new patient
 - This is an established patient with a new problem
 - The nonphysician practitioner is not an employee of the physician
 - You are in a hospital setting
 - The physician is not in the office suite
 - The service is based on time spent in counseling and/or coordination of care. This is considered a physician service only.