

Official Minutes

Medical Fee Guide Committee Meeting

Microsoft Teams Virtual Meeting

June 8, 2020 at 1:04 P.M.

Present:

Committee Members

Charles Thorne, D.C.
James Groschan, P.T.
Derek Kram, M.D.
Ari Laric, Esq.
Craig Ross, D.O.
Antonio Lopez, Esq.
Carmine D'Alessandro, Esq.
Rudolph Rose, Esq., Principal
Keith Segalman, M.D.
Greg M. Gilbert

WCC Staff:

Comm. Allan H. Kittleman, Chair of MFG Committee
Mary Ahearn, CEO
Jerome Reichmister, M.D., Medical Director
Regina Brown, Director of Support Services
Theresa Cornish, COO
H. Scott Curtis, Esq., Assistant Attorney General
Janet Vanderpuije, Med. Cdng. Mngr./Secretary

Guests: Susan Hurley, One Call

Isobel Hernandez, Health Systems
Michael Hamilton, Medata
Elizabeth Gutzwiler, Mitchell
Tina Lane, Mitchell
Mr. Schreiber, Idaho Industrial Commission

Commissioner Kittleman called the meeting to order at 1:04 pm, and took roll call of the Committee members and guests in attendance.

Commissioner Kittleman stated the purpose of the meeting was to address concerns raised in Dr. Thorne's communication regarding recent CMS action to increase reimbursement for certain telehealth procedures. Commissioner Kittleman then opened the floor for comments from the Medical Fee Guide Committee members.

Dr. Thorne expressed that CMS/Medicare has made some changes to reimbursement for telephone services conducted during the pandemic and asked about a similar adjustment to be made to the current fee structure for Maryland's rates to coincide with the CMS action.

Several Committee members discussed the limited value of Telephone services from an orthopedic standpoint such as that a thorough examination cannot be performed to observe stability, swelling,

active and passive range of motion. The changes made by CMS were primarily designed for Medicare patients, which are a different population than workers' comp.

Other Committee members expressed that while limited, there was some specific value to conducting a telephone service. While a telephone appointment is not a replacement for in office visits, it's valuable for discharging of patients, patients unwilling to come into the office, and those who have transportation issues. These calls allow for getting the patient's treatment started.

Clarification was made that the action taken by CMS was to allow audio-only services as a replacement for in-person and telehealth visits. Specifically, CPT codes 99441, 99442, and 99443 would now be covered by Medicare going back to March 1, 2020.

It was also discussed that documentation is key to charging for these services as it is based on time spent with patient. A requirement that the patient first initiate the telephone call is a requirement.

The point was made that CMS made such changes to serve its older population to prevent exposure to Covid-19 effective March 1, 2020. The question was raised as to whether telephone services is appropriate for workers' compensation; if telephone services are appropriate, from what date should treatment be allowed and what action should be taken should CMS continue allowance for these services.

A motion was proposed to temporarily follow CMS action and allow reimbursement for 99441, 99442, and 99443 codes at the newly established CMS rates provided documentation is made and the patient initiates the call. The motion further stated that this action will be revisited and/or terminate when Governor Hogan lifts or modifies the State of Emergency due to COVID-19, even if CMS does not change its practices. Nine members supported the motion and 1 opposed.

The meeting was adjourned at 1:34 pm.

Minutes submitted by:

Janet Vanderpuije, Secretary

Minutes approved by:

Commissioner Allan H. Kittleman
Medical Fee Guide Committee Chairman

Date _____