

E-BULLETIN

NEW YORK STATE PSYCHIATRIC ASSOCIATION

Bringing New York State Psychiatrists Together



November 16, 2021

IMPROPER UTILIZATION REVIEW OF E/M CLAIMS

NYSPA members have reached out recently regarding two concerning letters from carriers in connection with the use and billing of evaluation and management (E/M) codes by psychiatrists.

First, a member received a letter from a commercial carrier stating that the psychiatrist's use of high-level codes is considerably greater than the expected billing distribution of their specialty group. This letter is similar to letters sent out by a different carrier over the summer. The new letter intimates that use of 99214 is somehow improper and not clinically indicated. This position is in direct conflict with the new E/M documentation guidelines that went into effect 1/1/21.

Second, another member received a request from a different commercial carrier for three years of records in connection with the use of E/Ms along with code 90836. Apparently, the carrier is concerned about the frequency of CPT Code 90836 along with 99213-99214. The letter went on to direct the psychiatrist to use the non-MD psychotherapy codes (90832-90840), stating that these codes "are to be used in most settings." These statements are wholly improper and in direct violation of the 2010 Circular Letter issued by the NYS Insurance Department (now Department of Financial Services) confirming that commercial carriers **must** accept for processing all E/M claims submitted by physicians, regardless of specialty.

If you have any received any similar correspondence, please let us know. We are extremely concerned about both of these practices and plan to pursue this matter further with the Department of Financial Services. We are also working closely with NYSPA's Government Relations Team to determine if these issues require legislative action. Please contact NYSPA Central Office at centraloffice@nyspsych.org or 516-542-0077.

Thank you for your assistance.





Contribute to NYSP-PAC!

The New York State Psychiatric PAC needs your continued support so we are prepared to confront both the expected and unexpected. We sincerely hope you will join us today by making a contribution using the blue button above or by [clicking here!](#)

New York State Psychiatric Association Veterans Mental Health - Primary Care Training Initiative

The New York State Psychiatric Association is proud to offer this important training opportunity to ensure that returning veterans receive necessary care & treatment in their community to lessen or heal the invisible wounds of war & to further reduce the stigma which often impedes the decision to seek mental health & substance use disorder care and treatment, particularly among members of the military.

To learn more about this important program, please [click here](#).

CLASSIFIEDS

Click the blue-button above to view the current opportunities listed for our members in New York State. These include Job Postings, Moonlighting positions, and available office space.

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