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July 17, 2013

Seth P. Stein, Esq.  
Executive Director and General Counsel  
New York State Psychiatric Association, Inc.  
400 Garden City Plaza  
Garden City, NY 11530

Dear Mr. Stein,

I am writing to respond to your July 2, 2013 letter regarding Empire BlueCross BlueShield's copay billing practices for psychotherapy services. Thank you for raising your members' concern with us. We are aware of this issue and are in the process of addressing it.

As you know, the American Medical Association revised the CPT codes applicable to behavioral health services effective January 1, 2013. Empire responded by programming its claims processing systems to take the new CPT codes into account. This included continuing to charge only a single co-pay when a psychiatrist provides both psychotherapy and evaluation and management services in a single session. Empire subsequently learned, however, that in certain circumstances, two co-pays were being charged instead of one due to a computer programming problem.

Empire is adjusting its claims processing systems to ensure that, going forward, only one co-pay is charged when a psychiatrist provides both psychotherapy and evaluation and management services in a single session. Empire also is reviewing the claims it processed earlier this year so that it can identify and reprocess any claims for which two co-pays were applied.

We believe the steps Empire is taking will address and resolve your members' concern with respect to claims processed and paid by Empire. However, Empire has no control over the processing and payment of claims by Blue Cross Blue Shield of Massachusetts. Thus, to the extent your members have problems with claims processed by Blue Cross Blue Shield of Massachusetts, we suggest you follow up directly with them.

Sincerely,

A handwritten signature in black ink that reads "Brian S. Griffin".

Brian Griffin  
President and CEO  
Empire BlueCross BlueShield