

New modifiers for distinct procedural services

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August 15, 2014, CMS released MLN Matters Number: MM8863, which introduced new modifiers to report procedures that are “distinct,” and are currently reported with modifier -59. Modifier -59, distinct procedural service, is the most widely used HCPC modifier. Modifier -59 can be applied to CPT code to identify when the reported CPT code(s) refer to different encounters, different anatomic sites, and distinct services. This modifier often overrides NCCI edits and is connected with substantial abuse. To prevent continued patterns of abuse, CMS created new modifiers, referred to as X {EPSU} to define specific subsets of “distinct procedural service”.

Four new HCPCS modifiers will be available January 1, 2015:

- **XE Separate Encounter**, A service that is distinct because it occurred during a separate encounter
- **XS Separate Structure**, A service that is distinct because it was performed on a separate organ/structure
- **XP Separate Practitioner**, A service that is distinct because it was performed by a different practitioner
- **XU Unusual Non-Overlapping Service**, the use of a service that is distinct because it does not overlap usual components of the main service

CMS will continue to recognize modifier-59 but may selectively require a more specific X {EPSU} modifier for billing certain CPT codes.

Official instruction regarding this change is available at: <http://www.cms.gov/regulations-and-guidance/guidance/transmittals/downloads/R1422OTN.pdf>.

References

www.cms.gov; MLN Matters Number: MM8863, CMS Transmittal 1422

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November 2014 CHIA Journal, p 6

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