

# MEDICARE/MEDICAID

## GUIDELINES

The Medicare/Medicaid Guidelines referenced in this document are PM B-01-28 and were initially issued by the U.S. Department of Human Services, Health Care Financing Administration (HCFA) in a Program Memorandum dated April 19, 2001 with implementation date of July 1, 2001 regarding physician supervision of diagnostic tests.

Explanation of the guidelines and how they apply to the supervision of the Radiology Practitioner Assistant (RPA) is as follows.

1. The regulation is found in 42 C. F. R. §§ 410.32 and 410.33 and govern independent diagnostic testing facilities (IDTFs).
2. An IDTF is an entity in which a substantial portion of the entity's business involves the performance of diagnostic tests and where the diagnostic testing services may be a sufficiently separate business to warrant enrollment as an IDTF. An example would be the independent labs performing tests for groups of physicians, which has functioned without any kind of regulatory oversight.
3. A radiology practice is not "independent from a physician office or hospital" or an IDTF because (1) the practice is owned by the radiologists, a hospital or both; (2) the owner radiologists and any employed or contracted radiologists regularly perform physician services (e. g., interpretations) at the location where the diagnostic tests are performed; (3) the billing patterns of the enrolled entity indicate that the entity is not primarily a testing facility and that it is organized to provide the professional services of the radiologists; and (4) radiologists do not usually bill for E & M (evaluation and management) codes or treat a patient's medical condition on an ongoing basis. Therefore, a radiology practice in a hospital or large clinic is not considered to be an IDTF and would not be governed by this regulation.
4. The supervision levels are targeted only for diagnostic tests performed outside of the hospital or large clinic setting and governs only those procedures performed in physician offices and IDTFs.
5. For supervision of radiology procedures performed for hospital in-patients or out-patients, CMS will defer to JACHO accreditation standards and internal hospital rules and regulations.
6. RPAs may do procedures in which they have demonstrated competency and the supervising radiologist(s) feel comfortable letting them do, as long as a radiologists are available for consultation, either by personal contact, phone, e-mail, teleradiology or fax. RPAs work under the direction and supervision of the licensed physicians, therefore, JACHO and hospital rules and regulations have not prohibited them from performing fluoroscopic procedures and minor invasive procedures.

\*\*Reference: Imaging Economics Supplement, September, 2001, pp. 6-8.