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The RAC Sheet

The Health Law Partners, P.C. ("The HLP") is pleased to send you the April issue of [The HLP RAC Sheet](#). This monthly newsletter will provide up-to-date developments regarding the Medicare Recovery Audit Contractor ("RAC") program as it expands nationwide. If you have questions regarding RACs, Medicare audits, Medicaid audits or other payor audits, please call us at (248) 996-8510 or email [Abby Pendleton, Esq.](#) or [Jessica L. Gustafson, Esq.](#) Please also visit the [RAC page](#) of the [HLP website](#).

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RAC Vendor For Region D Removes Anesthesia Care Package Issue from Approved List

In a recent development for the anesthesia community, HealthDataInsights ("HDI"), the RAC for Region D, removed the anesthesia care package issue from its approved issues list. In January of 2010, the RAC vendor posted the following issue:

Under NCCI Edit rules, the anesthesia care package consists of preoperative evaluation, standard preparation and monitoring services, administration of anesthesia, and post-anesthesia recovery care. Anesthesia CPT codes 00100 to 01999 (except 01996) include Evaluation & Management ("E&M") services rendered on the day before anesthesia (pre-operative day), the day of the anesthesia and all post-operative days. CPT code 01996 includes E&M services on the same day as the 01996 service only. Physicians can indicate that E&M services rendered during the anesthesia period are unrelated to the anesthesia procedure by submitting modifiers 24, 25, 57 and/or 59, depending on claim specific circumstances, on the E&M service. Only critical care E&M services are payable during the anesthesia post-operative period. The post-operative period is defined as the day immediately following the anesthesia service and any subsequent days during the same inpatient hospital admission as for the anesthesia service.

On April 1, 2010, HLP partner Abby Pendleton noted that the issue was no longer posted on the approved issues list and spoke with the Centers for Medicare and Medicaid Services "CMS" RAC project coordinator for HDI, who confirmed that CMS directed the removal from HDI's approved issues list. CMS couldn't provide additional details about why this information has been removed. We understand that the American Society of Anesthesiologists is working with CMS to resolve the problems with the issue and will be reporting information on its website shortly. HLP will help anesthesia and all other providers stay informed as updates become available.

The HLP's Monthly RAC Tip: Ask Your RAC Questions Directly to CMS

On April 6, 2010, Centers for Medicare and Medicaid Services ("[CMS](#)") announced that it would conduct a series of "RAC 101" nationwide conference calls. Each call will be conducted by CMS staff and will cover RAC basics and the operational process. The opportunity to ask questions will be available at the end of the call. The nationwide RAC 101 calls for different provider types are being held according to the following schedule:

- April 28, 2010 at 1:00pm - 2:30pm EST: Nationwide RAC 101 Call, 1-877-251-0301, meeting ID: 66532244
- May 4, 2010 at 1:00pm - 2:30pm EST: Nationwide RAC 101 Call for Home Health and Hospice Providers, 1-877-251-0301, meeting ID: 66524952
- May 5, 2010 at 1:00pm - 2:30pm EST: Nationwide RAC 101 Call for DMEPOS, 1-877-251-0301, meeting ID: 66527260
- May 12, 2010 at 1:00pm - 2:30pm EST: Nationwide RAC 101 Call for Physicians, 1-877-251-0301, meeting ID: 66529242

HLP also encourages providers to browse the [CMS RAC frequently asked questions website](#), and the websites of their applicable RAC vendors, as many vendors post answers to FAQs. This information can be found at the below links:

- Region A--Northeast States: [Diversified Collection Services, Inc.](#)
- Region B--Midwestern States: [CGI Technologies and Solutions, Inc.](#)
- Region C--Southeast States: [Connolly Consulting Associates, Inc.](#)
- Region D--Western States: [HealthDataInsights, Inc.](#)

UPCOMING EVENTS

- On May 13-14, 2010, Abby Pendleton and Jessica Gustafson will be giving a talk entitled "RAC and Medicare Appeals: What Physicians Need to Know," at the Michigan Osteopathic Association's 10th Annual Michigan Osteopathic Association Practice Manager Program.
- On August 22-26, 2010, Abby Pendleton and Jessica Gustafson will be presenting to the Association for Medical Imaging Management ("AHRA") on the topic of RACs. Information will be available from the [AHRA website](#).