

**HUMAN SERVICES DEPARTMENT[441]**

**Notice of Intended Action**

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services proposes to amend Chapter 77, “Conditions of Participation for Providers of Medical and Remedial Care,” and Chapter 80, “Procedure and Method of Payment,” Iowa Administrative Code.

The Medicaid program’s provider participation requirements for psychologists currently refer to “the standards of the National Register of Health Service Providers in Psychology, 1981 edition.” The National Register of Health Service Providers in Psychology is now the National Register of Health Service Psychologists. The Register has credentialing requirements but no longer publishes dated editions of standards. These amendments update rule 441—77.22(249A) to reflect the current credentialing requirements of the National Register of Health Service Psychologists.

The Centers for Medicare and Medicaid Services (CMS) claim form requirements for payment of some Medicaid program services currently refer to “Form UB-92.” This form is outdated. These amendments also update paragraph 80.2(2)“a” to reflect the current UB-04 CMS claim form.

The option to copy rather than purchase CMS claim forms for Medicaid billing purposes is also eliminated.

Any interested person may make written comments on the proposed amendments on or before August 11, 2015. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by

fax to (515)281-4980 or by e-mail to [policyanalysis@dhs.state.ia.us](mailto:policyanalysis@dhs.state.ia.us).

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 249A.4.

The following amendments are proposed.

ITEM 1. Amend rule 441—77.22(249A) as follows:

**441—77.22(249A) Psychologists.** All psychologists licensed to practice in the state of Iowa and meeting the ~~standards~~ current credentialing requirements of the National Register of Health Service Providers in Psychology, 1981 edition, ~~published by the council for the National Register of Health Service Providers in Psychology,~~ Psychologists are eligible to participate in the medical assistance program. Psychologists in other states are eligible to participate when they are duly licensed to practice in that state and meet the ~~standards~~ current credentialing requirements of the National Register of Health Service Providers in Psychology Psychologists.

This rule is intended to implement Iowa Code sections 249A.4 and 249A.15.

ITEM 2. Amend paragraph **80.2(2)“a”** as follows:

**a.** The following providers shall submit claims on Form ~~UB-92~~ UB-04, CMS-1450:

(1) to (9) No change.

ITEM 3. Amend subrule 80.2(3) as follows:

**80.2(3)** Providers shall purchase ~~or copy~~ their supplies of forms CMS-1450 and CMS-1500 for use in billing.



Iowa Department of Human Services

## Information on Proposed Rules

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1. Give a brief summary of the rule changes:

The Medicaid program's provider participation requirements for psychologists currently refer to "the standards of the National Register of Health Service Providers in Psychology, 1981 edition". The National Register of Health Service Providers in Psychology is now the National Register of Health Service Psychologists. It has credentialing requirements, but no longer publishes dated editions of standards. Therefore, the rule is being updated to refer to the current credentialing requirements of the National Register of Health Service Psychologists. The CMS claim form requirements for payment of some Medicaid program services currently refer to "UB-92". This form is outdated. Therefore, this rule is being updated to refer to the current UB-04 CMS claim form. The option to copy rather than purchase CMS claim forms for Medicaid billing purposes is also eliminated.

2. What is the legal basis for the change? (Cite the authorizing state and federal statutes and federal regulations):

Iowa Code section 249A.4

3. What is the reason for the Department requesting these changes?

The National Register of Health Service Providers in Psychology credentialing requirements is out of date. The current CMS claim form reference is also out of date. The option to copy CMS claim forms for Medicaid billing is eliminated because the state requires that claim forms be scanned through the optical character recognition process (OCR). Photo copied claim forms are not accurately read through the OCR process where the system captures information from the claim form for processing. This process requires a standardized form and that information is in specific locations on the claim form (margins and data field sizes must all be congruent and aligned). Photocopying the claim forms causes misalignment and the information may or may not be captured correctly or the information may not be captured at all. Not accepting claim form copies became necessary when the OCR process was implemented. Previous to this the forms were microfilmed and manually keyed so utilizing copies was not an issue.

4. What will be the effect of this rule making (who, what, when, how)?

All psychologists participating in the Medicaid program as providers will more clearly be required to meet current credentialing requirements. All providers will be required to obtain and use the most current version of the CMS claim form and the use of copies will not be allowed.

5. Is the change mandated by State or Federal Law?

No

6. Will anyone be affected by this rule change? If yes, who will be affected and will it be to the person's (organization's) benefit or detriment?

Yes, all psychologists providing services in the Medicaid program are required to meet current credentialing requirements. Outdated CMS forms and form copies will not be accepted. All providers participating in the Medicaid program are required to obtain and use the most current form version.

7. What are the potential benefits of this rule?

The benefit is that all psychologists participating in the Medicaid program as providers will more clearly be required to meet current credentialing requirements. All providers participating in the Medicaid program will also more clearly be required to submit the most current version of the CMS claim form. The benefit of not allowing copies is accurate claim form submission and automated data entry.

8. What are the potential costs, to the regulated community or the state of Iowa as a whole, of this rule?

No significant costs are anticipated.

9. Do any other agencies regulate in this area? If so, what agencies and what Administrative Code sections apply?

No

10. What alternatives to direct regulation in this area are available to the agency? Why were other alternatives not used?

1. Continue as is. Rejected because The National Register of Health Service Providers in Psychology credentialing requirements is out of date. The current claim form reference is also out of date and allowing copies of CMS claim forms results in inaccurate claim data transfer and manual intervention.
2. Refer to the credentialing requirements of the National Register of Health Service Psychologists as of a specific date. Rejected because it would become outdated and make it difficult to determine the applicable credentialing requirements.

11. Does this rule contain a waiver provision? If not, why?

No, waivers are not provided because covered services should be described in the same, current terms for all program beneficiaries and because waivers can be requested pursuant to the Department's general rules on waivers or "exceptions to policy", at 1.8.

12. What are the likely areas of public comment?

None

13. Do these rules have an impact on private-sector jobs and employment opportunities in Iowa? (If yes, describe nature of impact, categories and number of jobs affected, state regions affected, costs to employer per employee)

No



## Administrative Rule Fiscal Impact Statement

Date: June 23, 2015

**Agency:** Human Services

**IAC citation:** 441 IAC

**Agency contact:**

**Summary of the rule:**

The Medicaid program's provider participation requirements for psychologists currently refer to "the standards of the National Register of Health Service Providers in Psychology, 1981 edition". The National Register of Health Service Providers in Psychology is now the National Register of Health Service Psychologists. It has credentialing requirements, but no longer publishes dated editions of standards. Therefore, the rule is being updated to refer to the current credentialing requirements of the National Register of Health Service Psychologists. The CMS claim form requirements for payment of some Medicaid program services currently refer to "UB-92". This form is outdated. Therefore, this rule is being updated to refer to the current UB-04 CMS claim form. The option to copy rather than purchase CMS claim forms for Medicaid billing purposes is also eliminated.

*Fill in this box if the impact meets these criteria:*

- No fiscal impact to the state.  
 Fiscal impact of less than \$100,000 annually or \$500,000 over 5 years.  
 Fiscal impact cannot be determined.

**Brief explanation:**

These proposed rule changes are technical in nature and are being updated in order to clarify existing policy. These updates will not change current Medicaid reimbursement policies, services covered or populations served. Therefore, there is no fiscal impact.

*Fill in the form below if the impact does not fit the criteria above:*

- Fiscal impact of \$100,000 annually or \$500,000 over 5 years.

**Assumptions:**

**Describe how estimates were derived:**

**Estimated Impact to the State by Fiscal Year**

	<u>Year 1 (SFY16)</u>	<u>Year 2 (SFY17)</u>
<b>Revenue by each source:</b>		
General fund	_____	_____
Federal funds	_____	_____
Other (specify):	_____	_____
<b>TOTAL REVENUE</b>	_____	_____
<b>Expenditures:</b>		
General fund	_____	_____
Federal funds	_____	_____
Other (specify):	_____	_____
<b>TOTAL EXPENDITURES</b>	_____	_____
<b>NET IMPACT</b>	<u>No Impact</u>	<u>No Impact</u>

\_\_\_\_\_ This rule is required by state law or federal mandate.  
*Please identify the state or federal law:*  
 Identify provided change fiscal persons:

\_\_\_\_\_ Funding has been provided for the rule change.  
*Please identify the amount provided and the funding source:*

  X Funding has not been provided for the rule.  
*Please explain how the agency will pay for the rule change:*  
 There is no fiscal impact.

***Fiscal impact to persons affected by the rule:***  
 N/A.

***Fiscal impact to counties or other local governments (required by Iowa Code 25B.6):***  
 N/A.

Agency representative preparing estimate: Joe Havig  
 Telephone number: 515-281-6022