

USING THE -59 AND -XS MODIFIERS CORRECTLY TO AVOID DENIALS AND AUDITS

Insurers are ever improving their internal software with screens and traps to seek out incorrect billing practices - this includes the use and misuse of modifiers. In this informational I'll specifically address the use of the -59 and -XS modifiers.

First, let's review some definitions. The -59 modifier means that a Distinct Procedural Service has been performed. "Under certain circumstances, it may be necessary to indicate that a procedure or service was distinct or independent from other non-E/M services performed on the same day. Modifier -59 is used to identify procedures/services, other than E/M services, that are not normally reported together, but are appropriate under the circumstances. *Modifier - 59 should not be appended to an E/M service."

In 2015 four new modifiers {XE, XS, XP, and XU} were created due to repeated misuse of the -59 modifier. These modifiers aren't exactly a replacement for -59, but more like subsets that include additional information to clearly provide the reasoning and rationale for using a modifier for the service provided. In our case, we're going to focus on -XS, but it's important to know that not all insurers recognize the -XS modifier, which means the -59 modifier will continue to be used in those situations. But, for those insurers that do recognize the -XS modifier that will be the modifier to go with!

For our purposes, there are primarily three physical medicine and rehabilitation procedure codes which *may* require one of our topic modifiers. CPT 97140 [manual therapy], 97112 [neuromuscular reeducation], and 97124 [therapeutic massage] cannot be reported (billed) separately when performed on the same spinal region where a Chiropractic manipulation was also performed. If, though, one of these physical medicine procedures was performed on a different region than the Chiropractic manipulation it can then be reported by adding the -59 or -XS modifier. It is vitally important to make sure your documentation clearly states that these services were not performed on the same body region as the Chiropractic manipulation, and make sure to state what specific regions were treated for each procedure! By documenting this when using either the -59 or -XS modifier you satisfy the rule that the service is separate and distinct from the Chiropractic manipulation.

One of the big mistakes I've seen over the years with my billing clients has been the misuse and overuse of the -59/-XS modifiers. Aside from the three CPTs I've mentioned there really aren't any other CPTs that require these modifiers, and they are only necessary if performed on a separate body region from a Chiropractic manipulation when performed on the same visit. And yet, I've seen these modifiers appended to unattended and rehab codes where it is not warranted. I've also seen them appended to E/M codes which is totally unnecessary and unwarranted. Please note that insurers not only track overuse of modifiers, but misuse as well, and continuing to use these modifiers in this fashion will absolutely lead to files being audited.

To get a headstart on when to use the -XS modifier think from where it got its start via Medicare; so, Medicare, most Medicare Advantage plans, Medicaid, the VA, and insurers that follow Medicare guidelines such as UHC/Optum, many of the Blues plans, etc. Most of the other insurers including managed care and PPO plans will use the -59 modifier. Always keep an eye on EOBs that show denials or zero payment on those codes billed with either of these modifiers as it could reveal incorrect use.

Please feel free to email me at support@icollectmedicalbilling.com should you have any further questions!

Dr Art

Dr. Arthur I. LeVine

CEO & Founder, iCollect Medical Billing Services, LLC
Past President, Florida Chiropractic Assn.,
Board of Directors, Florida Chiropractic Assn.,
Chairman, Insurance Relations Committee, Florida Chiropractic Assn.,
Co-Chairman, Government Relations Committee, Florida Chiropractic Assn.,
Florida Representative, Congress of Chiropractic State Assns.,
954-530-6232 Office
www.icollectmedicalbilling.com