

## Coding and Billing Article CHIRO-001 - Chiropractic Services

### **\*AT modifier Effective for services rendered on or after 10/01/2004**

*For Medicare purposes, the AT modifier shall now be used only when chiropractors bill for active/corrective treatment. CR 3449 requires that every chiropractic claim (those containing HCPCS code 98940, 98941, 98942) with a date of service on or after October 1, 2004, to include the Acute Treatment (AT) modifier if active/corrective treatment is being performed.*

*The AT modifier must not be placed on the claim when maintenance therapy has been provided. Claims without the AT modifier will be considered as maintenance therapy and denied. Chiropractors who give or receive from beneficiaries an ABN shall follow the instructions in Pub. 100-04, Medicare Claims Processing Manual, Chapter 23, section 20.9.1.1 and include a GA (or in rare instances a GZ) modifier on the claim.*

### **Coverage Guidelines**

**Manual Manipulation.** --Coverage of chiropractic service is specifically limited to treatment by means of manual manipulation, i.e., by use of hands. Additionally, manual devices (i.e., those that are hand-held with the thrust of the force of the device being controlled manually) may be used by chiropractors in performing manual manipulation of the spine. However, no additional payment is available for use of the device, nor does Medicare recognize an extra charge for the device itself

*No other diagnostic or therapeutic service furnished by a chiropractor or under his or her order is covered. This means that if a chiropractor orders, takes, or interprets an x-ray, or any other diagnostic test, the x-ray or other diagnostic test, can be used for claims processing purposes, but Medicare coverage and payment are not available for those services. (Of course, this prohibition does not affect the coverage of x-rays or other diagnostic tests furnished by other practitioners under the program. For example, an x-ray or any diagnostic test taken for the purpose of determining or demonstrating the existence of a subluxation of the spine, is a diagnostic test covered under the Social Security Act if ordered, taken, and interpreted by a physician who is a doctor of medicine or osteopathy.)*

*Some chiropractors have been identified as using an "intensive care" concept of treatment. Under this approach, multiple daily visits (as many as four or five in a day) are given in the office or clinic and so-called room or ward fees are charged since the patient is confined to bed usually for the day. The room or ward fees are not covered and reimbursement under Medicare will be limited to not more than one treatment per day unless documentation of the reasonableness and necessity for additional treatment is submitted with the claim.*

### **Coding Guidelines**

1. Choose all applicable subluxation ICD-9 code(s), found under Section G, to identify the area(s) of subluxation.

Explanation:

One or two manipulations:

If you are billing code 98940, report the code that describes the subluxation in Item 21 position one. Item 21, Position 2 should be used for the symptom/condition/secondary diagnosis. Any additional symptoms or subluxations should be listed in Item 21 positions 3,4. Over 4 should be listed in Item 19.

Three or more manipulations:

If you are billing codes 98941 or 98942, report the code that describes the subluxation in Item 21 position 1. Item 21 position 2 should be the symptom/condition/secondary diagnosis. Any

additional symptoms or subluxations should be listed in Item 21 positions 3,4. Over 4 should be listed after the additional ICD-9 codes in Item 19. The codes can be listed in any order in Item 19 with the x-ray date if applicable.

- \*2. All claims for chiropractic services must include the following information:

Date of the initiation of the course of treatment.  
Symptom/condition/Secondary Dx Code(s)  
Subluxation(s)/Primary Dx. ICD-9 Code(s)  
Date of Service  
Place of Service  
Procedure Code  
Failure to report these items will result in claim denial or delay.

**\*Note:** Date of last x-ray is no longer required. Any date placed in item 19 is considered date of last x-ray. It is recommended that providers do not place any date in item 19 of the CMS-1500 claim form.

3. At least one of the symptoms or conditions, listed in the Local Medical Policy CHIRO-001, must be reported using the appropriate ICD-9 code(s) from the short-term Treatment, Moderate-Term Treatment, or Long-Term Treatment categories. All associated applicable subluxation codes (739.0-739.5) are reported as the primary diagnosis (es)

4. Limitation of Liability rules apply: The purpose of the Limitation of Liability provision is to protect the beneficiary from liability in denial cases under certain conditions when services rendered are found to be not reasonable and medically unnecessary.

\*If the provider uses the AT Modifier and believes a service is likely to be denied by Medicare as not being medically necessary, the beneficiary must sign an Advance Beneficiary Notification (ABN) and the GA modifier must be used.

5. *The following information must be recorded by the chiropractor and kept on file. The date of the initial treatment or the date of the exacerbation of the existing condition must be entered in Item 14 of Form CMS-1500 or the electronic equivalent. This serves as affirmation by the chiropractor that all documentation required as listed below and in the regulations is being maintained on file by the chiropractor. Specify the precise spinal location and level of subluxation giving rise to the diagnosis and symptoms.*

6. Physician signature or initials for progress notes and reports:  
If it is clear from the medical record that a physician performed the service, a signature, signature stamp, or initials are acceptable. A signature stamp must be that of the physician and should be personally applied.

**Non-Covered Services:**

All services other than manual manipulation of the spine for treatment of subluxation of the spine are excluded when ordered or performed by a doctor of chiropractic. Chiropractors are not required to bill these to Medicare. Chiropractic offices may want to submit charges to Medicare to obtain a denial necessary for submitting to a secondary insurance carrier. The following are examples of (not an all inclusive list) of services that, when performed by a Chiropractor, are excluded from Medicare coverage and for which the beneficiary is responsible for payment:

- Laboratory tests
- X-rays

- Office Visits (history and physical)
- Physiotherapy
- Traction
- Supplies
- Injections
- Drugs
- Diagnostic studies including EKGs
- Acupuncture
- Orthopedic devices
- Nutritional supplements and counseling

Medicare does not cover chiropractic treatments to extraspinal regions (CPT 98943), which includes the head, upper and lower extremities, rib cage, and abdomen.

**\*Request for Review**

When requesting a review, submit documentation that supports the medical necessity of the denied service.

**Revision History**

| Date       | Revision Explanation and Number   |
|------------|---|
| 11/01/2004 | Converted LMRP to LCD, added AT modifier information, added note regarding item 19 and billing non covered services and information regarding request for review; |

**Effective date:**

11/01/2004