

Office of Mental Health  
And Substance Abuse Services  
Bureau of Operations and Quality Management

**HealthChoices Behavioral Health**

**Questions/Answers**

---

---

*Issue Clarification #:* 3-96-198; 11-97-111

*Applicability:* Southeast/Southwest, Lehigh Capital

*Date of Receipt:* June 19, 2000

*Source Documentation:* RFP 3-96

---

---

**Question/Issue:**

***Submitted by:***

***Ruth Krantz- Carl***

***County Authority:***

***Chester-Montgomery***

***Topic Area:***

***Non-participating providers allowed to “balance bill”***

Is an out-of-network, non-participating provider allowed to “balance bill” the member if the provider’s charge is above that paid for by commercial insurance and the HealthChoices co-pay together?

**Background/Context Provided within the Request:**

When the BH-MCO pays co-pays and deductibles for members with commercial insurance as primary and HealthChoices as secondary, the out-of-network provider might not be a Medical Assistance provider. Those non-MA providers are reported as Provider 57’s. We believe that the Provider 57 reporting status does not constitute MA provider status with DPW. It would appear that this provider may balance bill the member after being reimbursed by both commercial and HealthChoices.

---

---

***OMHSAS***

**Answer/Response:**

An out of network provider, which is an enrolled Medicaid provider and which is billing the BH-MCO for a covered HealthChoices In Plan Service, shall not balance bill the recipient. An out of network provider, which is not an enrolled Medicaid provider, but is assigned a Provider Type 57 billing status and which is billing the BH-MCO for a covered HealthChoices In-Plan Service, may balance bill the recipient if the recipient chose to receive service from that particular provider. However if the BH-MCO is referring a member to an out of network provider, the BH-MCO must pay deductibles and coinsurance up to the applicable Medical Assistance fee schedule amount for the service. In these circumstances, the recipient cannot be subject to balance billing by the provider.

**Joan Erney**

*Director, Bureau of Operations  
and Quality Management*

*Date: 11/1/02*