

**To:** PerformCare Provider Network (Mental Health Outpatient Clinics)  
**From:** Scott Daubert, Ph.D., VP Operations  
**Date:** July 1, 2013  
**Subject:** PC-12 Physician Services in Mental Health Outpatient Clinics

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## Claims Payment and Clinical Policy Clarification

### Question/Issue:

What services can physicians who are not Board-certified / Board-eligible psychiatrists perform within mental health outpatient clinics?

Can a non-psychiatrist physician bill a 90792 CPT code for an initial evaluation / intake that provides a diagnosis and medication recommendations?

### Source Documentation / References:

55 Pa. Code § 5200 Psychiatric Outpatient Clinics  
55 Pa. Code § 1153 Outpatient Psychiatric Services

### PerformCare Answer/Response:

The scope of this response is intended to apply to all psychiatric outpatient clinics licensed under the above regulations providing services for HealthChoices Members reimbursed by PerformCare. As noted in 55 Pa. Code § 5200.48 Waiver of Standards, waivers may be granted to psychiatric outpatient clinics for staffing standards by the Office of Mental Health and Substance Abuse Services (OMHSAS). If a waiver is in place, the requirements of the waiver would be followed and may over-ride some of the following regulatory requirements. Absent a waiver, PerformCare would require the following.

*Psychiatric evaluations* may be provided only by a *psychiatrist* in a face-to-face interview with the patient. (An exception would be a separate telepsychiatry approval). The *psychiatric evaluation* is an initial mental status exam and includes a comprehensive history and evaluation of pertinent diagnostic information necessary to arrive at a diagnosis and treatment plan, recommendations for treatment or further diagnostic studies or consultation. A *psychiatrist* is defined as a physician who has completed (emphasis added) a 3 year residency in psychiatry and is licensed to practice in the Commonwealth. A *child psychiatrist* is defined as a physician who has completed a residency in psychiatry and who has a specialty in child psychiatry and is licensed to practice in the Commonwealth. Therefore, since a 90792 is defined as a Psychiatric Diagnostic Evaluation, non-psychiatrist physicians should not be performing such services, and Mental Health Outpatient clinics should not be billing PerformCare under their clinic MAID / Provider Type for such services.

Furthermore, physicians who are not psychiatrists or child psychiatrists should not produce documents entitled “Psychiatric Evaluation” or similar language. Practitioner credentials of non-psychiatric physicians should be clearly indicated and understood by Members, and included in the treatment record documentation as well. While additional interviews with other staff may be included as part of a psychiatric evaluation, the psychiatrist is expected and required to conduct the primary examination and evaluation, and not simply briefly see the patient and/or “sign off” on another physician’s or another professional’s work.

Under the proper supervision of a psychiatrist as defined in the referenced regulations, physicians who are not psychiatrists / child psychiatrists can conduct office visits within a Mental Health Outpatient clinic, and PerformCare can be billed by the clinic accordingly for such services. Medications may be prescribed in psychiatric outpatient clinics by licensed physicians. Such office visits would be covered in the current PerformCare fee schedule under the following Evaluation & Management (E/M) CPT codes.

Description	CPT
Office/OP Visit New Pt: L1	99201
Office/OP Visit New Pt: L2	99202
Office/OP Visit New Pt: L3	99203
Office/OP Visit New Pt: L4	99204
Office/OP Visit New Pt: L5	99205
Office/OP Visit Established: L1	99211
Office/OP Visit Established: L2	99212
Office/OP Visit Established: L3	99213
Office/OP Visit Established: L4	99214
Office/OP Visit Established: L5	99215

When E/M documentation is produced by either psychiatrists or other physicians, patient medical records must include the clear rationale for level and complexity. For documentation guidance and requirements, please see the Evaluation and Management Services Guide published by CMS which is located at: [https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/downloads/eval\\_mgmt\\_serv\\_guide-ICN006764.pdf](https://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNProducts/downloads/eval_mgmt_serv_guide-ICN006764.pdf).

### Additional Considerations

Per 55 Pa. Code § 5200.22 and 5200.31, all clinical staff and treatment planning shall be supervised by the psychiatrist. All treatment plans are to be reviewed and approved by a psychiatrist. Supervision and treatment planning are not functions that a non-psychiatric physician could provide without a specific waiver.

cc: PerformCare Managers  
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