

John Frostad's presentation to the OIC
"Ongoing Issues with Patient Access to EAMP Services"

“Most insurers in Washington state are systematically violating the provisions of Every Category of Provider (ECP) law enacted over two decades ago. They have been refusing to provide medical benefit to patients seeking any service other than acupuncture needling from East Asian Medicine Practitioners (EAMPs). Not only do they refuse coverage, but they are forcing EAMPs to contractually write-off these services. EAMPs must therefore decline to bill for these services and require patients to pay for them, even though the insurer is legally required to provide coverage. This also denies patients the ability to utilize a secondary payer which does cover the service, even though it is not provided for by the primary carrier.

The ECP law clearly states that insured consumers must have the ability to receive a covered health service from any category of licensed medical provider available. Even when a service type is a covered benefit, insurers will refuse to pay for that service if it is provided by an EAMP. For example, while massage services are payable to all manners of providers, patients seeking massage from EAMPs will find that service denied by their insurers. This is happening with every variety of service EAMPs provide outside of acupuncture needling, even when other provider types are paid for them.

The ECP law also states that insured consumers must be afforded coverage for the scope of medical services provided by a type of licensed medical provider in Washington. EAMPs have a very wide variety of billable services in their scope of practice, with acupuncture needling only being one. It is routine for EAMPs to perform essential services in addition to, or in lieu of, acupuncture needling. All these services are routinely denied. Patients are made to pay for services which the insurer is obligated to provide coverage for.

Insurers give varied rationales for denying payment for services. Many insurers are refusing payment stating that a given service is not part of our scope of practice, while clearly it is. Others will state that EAMPs are not credentialed to provide said service. Others state that every variety of service we perform is acupuncture and that no other performed

services are payable. Our scope of practice is very broad and covers a wide variety of billable medical services, yet we are only afforded the ability to bill for acupuncture needling.

EAMPs are also forced to authorize our services as acupuncture needling. Soon Evicore will blanket deny acupuncture benefits for a variety of medical conditions. Regence will continue to pay for other medical services for these conditions. Regence will only pay EAMPs for acupuncture needling however, so these services will only be payable to other provider types and not EAMPs. Patients therefore will be denied their choice of provider type to perform these services. Patients should not be denied access to EAMPs solely because acupuncture needling is not authorized for their medical condition.

The ECP law should be applied as it was intended. Patients should have the right to choose EAMPs to provide services covered on their plans. Patients should be able to receive the full range of services that EAMPs offer, and not simply acupuncture needling. When acupuncture needling is not a covered service for a given condition, patients should not be completely shut out of access to EAMPs as a treating provider.

We are happy to provide more detailed information to the Insurance Commissioner on the coverage issues that our patients are experiencing."

*See following pages for billing codes

Category	Procedure	Code
Acupuncture	Acupuncture, per intial 15 minutes	97810
Acupuncture	Acupuncture, additional 15 minutes	97811
Acupuncture	Electro-Acupuncture, per intial 15 min	97813
Acupuncture	Electro-Acupuncture, additional 15 min	97814
E&M	E&M New Patient - Focused	99201
E&M	E&M New Patient -Expanded	99202
E&M	E&M New Patient - Detailed	99203
E&M	E&M New Patient - Comprehensive	99204
E&M	E&M New Patient - Comprehensive	99205
E&M	E&M Established Pt	99211
E&M	E&M Established Pt - Focused	99212
E&M	E&M Established Pt - Expanded	99213
E&M	E&M Established Pt - Detailed	99214
E&M	E&M Established Pt - Detailed	99215
Med-Phys Med	Hot or cold packs	97010
Med-Phys Med	Traction	97012
Med-Phys Med	Elect Stim (unattended)	97014
Med-Phys Med	Whirlpool	97022
Med-Phys Med	Infrared	97026
Med-Phys Med	Electrical Stim.	97032
Med-Phys Med	Contrast baths, each 15	97034
Med-Phys Med	Exercises each 15 min	97110
Med-Phys Med	Neuromuscular Re-education	97112
Med-Phys Med	Massage (stroking, compression)--15 min	97124
Med-Phys Med	Manual Therapies	97140
Med-Phys Med	Therapeutic activities, 15 mins	97530

Acupuncture Fee Schedule - WA State
Frequently Billed Codes - Allowable Examples
Effective June 1, 2009

CPT Code	CPT Description
Acupuncture Treatments	
97810	Acupuncture, first 15 minutes
97811	Acupuncture, additional 15 minutes
97813	Acupuncture w/ elec, first 15 minutes
97814	Acupuncture w/ elec, additional 15 minutes
E & M Office Services (New Patients)	
99201	Problem focus
99202	Expanded problem focus
99203	Detailed problem
99204	Comprehensive, mod complex
99205	Comprehensive, high complex
E & M Office Services (Established Patients)	
99211	Problem focus
99212	Expanded problem focus
99213	Detailed problem
99214	Comprehensive, mod complex
99215	Comprehensive, high complex
Physical Therapy Procedures	
97016	Vasopneumatic Device Therapy
97026	Infrared
97032	Manual Electrical stimulation, each 15 minutes
97124	Massage, each 15 minutes
97139	Physical medicine procedure
97140	Manual therapy, each 15 minutes