

9. Home Visits

The necessity for such visits is infrequent in cases covered by the Workers' Compensation Law. When necessary, a statement setting forth the medical indications justifying such visits shall be submitted. Please refer to the Evaluation and Management section for coding of these services.

10. Medical Testimony

Whenever the attendance of the injured employee's treating or consultant physician is required at a hearing, such physician shall be entitled to an attendance fee of \$400.00 for one case at one hearing point. If such physician shall also testify in other cases at the same hearing point on the same day, he or she shall be entitled to an attendance fee of \$200.00 for each additional appearance, but in no case shall such aggregate fees for testimony at the same hearing point on the same day exceed \$1,200.00. Refer to the Workers' Compensation Law handbook for a complete explanation of the reimbursement for medical testimony.

11. Ground Rules For Physician Assistants (PA) and Nurse Practitioners (NP)**A. Physician Supervision**

Treatment must be rendered under the supervision of a physician who is authorized to treat workers' compensation patients.

Definition of Supervision

The term "supervise" within the meaning of this recommendation encompasses the Medicare supervision requirement (i.e., that where state law enables as in New York State):

- 1) The services of nonphysicians must be rendered under the physician's direct supervision;
- 2) Direct personal supervision in the office setting does not mean that the physician must be present in the same room with a PA or NP. However, the physician must be present in the office suite and immediately available to provide assistance and direction throughout the time the PA or NP is performing the services. In this instance, reimbursement should be made at the normal physician payment level as if the physician had provided the service.

B. Billing for PA or NP Service

The physician must render the bill for care, with the ensuing payment for the PA or NP service made directly to the physician employer.

C. Management of a New or Established Patient with a New Workers' Compensation Problem

- 1) If the physician supervises the physician assistant's or nurse practitioner's evaluation, payment should be made at the physician's normal Workers' Compensation level for PA or NP services rendered in an outpatient setting.
- 2) Similar to Medicare regulations, which provide that where on-site direct physician supervision is not available in rural areas that meet the definition of Health Professional Shortage Areas (HPSA) and the physician assistant or nurse practitioner providing patient care is only able to communicate with a physician supervisor by telephone or other effective means of communication, payment for this service should be made at three-fourths of the Physician Payment Schedule.
- 3) Physician assistants and nurse practitioners acting in the capacity of an assistant at surgery will receive 10.7 percent of the total allowance for the surgical procedures. Payment will be made to the physician assistant's or nurse practitioner's employer (the physician).

D. Physician Assistant or Nurse Practitioner Care for New Problems

A physician assistant or nurse practitioner is not permitted to care for a new problem under the workers' compensation program without discussing the findings in person or by telephone with a responsible physician prior to instituting treatment. No payment should be made for care provided by the PA or NP that does not meet this requirement.

E. Follow-up Care of an Existing Patient with a Compensable Problem

If the physician supervises the physician assistant's or nurse practitioner's evaluation, payment should be made at the physician's normal reimbursement level for the PA or NP services rendered in the outpatient setting.

F. Modifiers for Physician Assistant and Nurse Practitioner Services

When a physician assistant (PA) or nurse practitioner (NP) bills for services other than assistant at surgery, modifiers PA or NP are used. Modifier 83 is used to identify assistant at surgery services provided by a physician assistant or nurse practitioner.