DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES

The Nuts and Bolts of the Surveillance Utilization Review Section (SURS)

Fall 2024

Jennifer Tucker, CPC.
SURS Supervisor

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What is SURS?

Surveillance Utilization Review Section (SURS) is a federally mandated program
[42 CFR, Part 456.3]

The program maintains a strong commitment to assure that the right provider is receiving the right payment for the right services at the right time. We identify potential fraud, waste and abuse to ensure that State and Federal monies are spent appropriately.

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We accomplish this by:

- performing retrospective reviews
- educating providers
- recovering overpayments if indicated

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The Medicaid Processing System

- Claims processing system includes numerous edits
  - To identify most billing errors
  - It doesn't detect all errors

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The Medicaid Processing System 2

- Some claims are paid in error
  - due to incorrect billing
  - system complications
- ALL paid claims are subject to retrospective review
  - this includes prior authorized claims

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Overpayment Recovery

- SURS can recover if it discovers that the provider was not entitled to payment for any reason.
- [ARM 37.85.406 (9) & (10)]

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Montana Medicaid Website

https://medicaidprovider.mt.gov/

COVID-19 Provider Information

Online Services

Resources by Provider Type

Provider Enrollment

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Welcome to the Montana Healthcare Programs Provider Information Website.

Provider Services Portal | COVID-19 Provider Information and Notices

2024 W-9 Form Required

October 15, 2024

Department of Administration is no longer accepting prior versions of the W-9 forms. All W-9 forms must have 2024 on the top, left-hand corner. All enrollments and updates that are not approved as of 10/15/2024 that required a W-9 form will need a revised W-9 if the version is not 2024. The current W-9 form is found on https://medicaidprovider.mt.gov/ under forms.

Medicaid Payment Delayed Due to Holiday

October 11, 2024

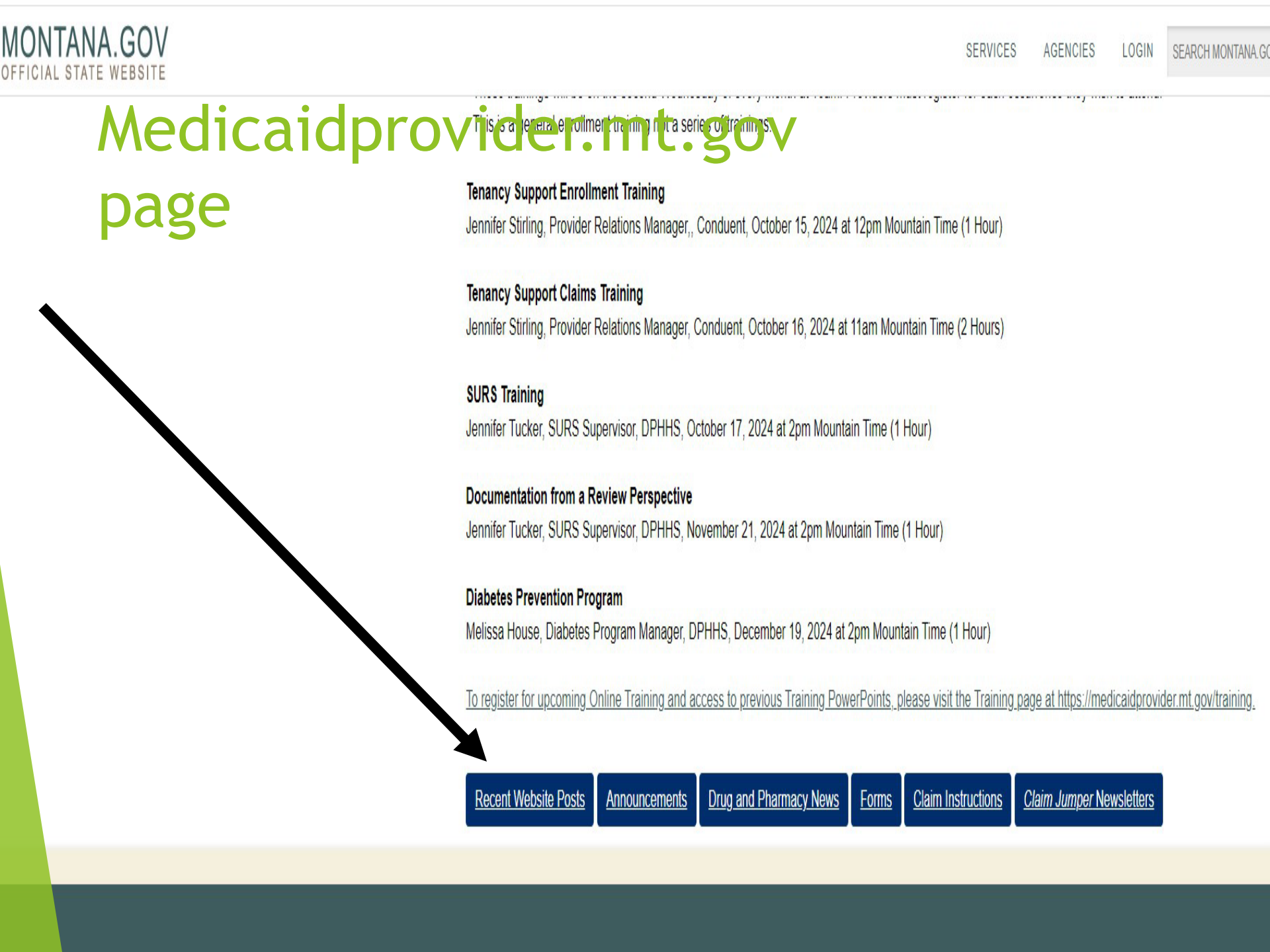
Due to the Columbus Day holiday, payments will be issued on Tuesday, October 15, 2024. Therefore, Remits will not be available until Wednesday, October 16, 2024.

Revalidation Requirements Deadline

October 11, 2024

The Department of Public Health and Human Services (DPHHS) has resumed Provider Revalidation post the COVID 19 Public Health Emergency. Provider Revalidation is a federally required compliance measure for providers to verify and update their enrollment information every five years to remain eligible for participation with Montana Healthcare Programs. Currently there are many providers that have not completed their revalidations. Failure to complete overdue revalidations by December 31, 2024, will result in suspended payments. **Failure to complete overdue revalidations by December 31, 2024, will result in suspended payments**

Medicaidprovider.mt.gov page



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Select Your Provider Type

Provider types are listed in alphabetical order. Available resources include fee schedules, provider notices, provider manuals, and more.

A - C D - F G - K L - O P - Q R - Z

Providers A - C

- Ambulance
- Ambulatory Surgical Center
- Applied Behavior Analysis Services
- Audiologist
- Big Sky Waiver
- Chemical Dependency
- Chiropractor
- Clinic (Public Health)
- Clinical Pharmacist

Providers L - O

- Laboratory Services
- Licensed Addiction Counselor
- Licensed Marriage and Family Therapist
- Licensed Professional Counselor
- Mental Health Center
- Mid-Level Practitioner
- Mobile Imaging
- Nursing Facility
- Nutritionist (EPSDT)

Here you can select the provider type you are looking for.

Multiple resources are available on this page

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Physician

Prior Authorization | Forms | *Claim Jumper* Newsletters

- Provider Manuals
- Medicaid Rules and Regulations
- Fee Schedules – Physician
- Fee Schedules – ATP Tests and Fees
- Physician Administered Drugs
- Provider Notices
- Other Resources

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Claim Jumper Newsletters

Claim Jumper 2024

Volume XXXIX Issue 10 - October 2024

Tips from Provider Relations

Medicare Allowed Services Versus Coverage by Medicaid

Recent Website Posts

Top 15 Claims Denials

Volume XXXIX Issue 9 - September 2024

Personal Care Services Part 4 of 4: Consequences, Prevention, and Partnership

SURS Revelations: National Correct Coding Initiative (NCCI) Edits

http://medicaidprovider.mt.gov/ page provider manuals image

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OFFICIAL STATE WEBSITE

SERVICES AGENCIES LOGIN SEARCH MONTANA.GOV

- COVID-19 Provider Information
- Online Services
- Resources by Provider Type
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Physician

Prior Authorization | Forms | *Claim Jumper* Newsletters

Provider Manuals

General Information for Providers
Medicaid manual with general information for all provider types.

Physician-Related Services
This manual has information specific to your provider type.

Prescription Drug Program
This manual has information specific to your provider type.

Passport to Health
Everything a provider needs to know to become a successful Passport provider.

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http://medicaidprovider.mt.gov/

page provider Medicaid Rules and Regulations image

Resources by Provider Type

Provider Enrollment

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Provider Manuals

Medicaid Rules and Regulations

Code of Federal Regulations (Title 42)

Montana Code Annotated - https://leg.mt.gov/ (Choose "Laws & Bills" then " Montana Statutes – MCA")

Applicable Section: Title 53, Chapter 6

Administrative Rules of Montana (Title 37)

- Chapter 79 Healthy Montana Kids
- Chapter 82 Medicaid Eligibility
- Chapter 83 Medicaid for Certain Medicare Beneficiaries and Others
- Chapter 85 General Medicaid Services
- Chapter 86 Medicaid Primary Care Service

Fee Schedules – Physician

https://medicaidprovider.mt.gov/27#accordion1-collapse1

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SERVICES AGENCIES LOGIN SEARCH MONTANA.GOV

http://medicaidprovider.mt.gov/ page provider notices image

Provider Notices

For prescription medication notices, see the Pharmacy page

2024

10/15/2024 Revalidation Requirements Deadline

10/11/2024 COVID-19 Vaccine Codes Removed from Plan First Covered Codes List

09/18/2024 Vaccines for Children Code Update

08/09/2024 Vaccines for Children Code Update

07/29/2024 Prior Authorization Requirements When a Member Has Third Party Liability

06/28/2024 January 1, 2024 and July 1, 2024 Fee Schedule Updates

06/18/2024 Method for Submitting Durable Medical Equipment Prior Authorizations

06/18/2024 DEA Number Required for Prescribers REVISED

06/11/2024 Health Resources Division Claims Appeal Process

05/21/2024 DEA Number Required for Prescribers

05/10/2024 Ordering Genetic Lab Tests from Assurex Health

Site Search

Site Index

http://medicaidprovider.mt.gov/

Screen print of other resources

Fee Schedules – ATP Tests and Fees

Physician Administered Drugs

Provider Notices

Other Resources

Diabetes Self-Management Education Support Services 11/24/2021

Montana Diabetes Prevention Program Overview Presentation 01/27/2021

Prior Authorization Criteria for Specific Services

SURS Provider Internal Self-Review Protocol 10/2023

To locate older documents, access the Archive Page.

DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES

Rule/Regulation Materials

- Code of Federal Regulations (CFR)
- Montana Code Annotated (MCA)
- Administrative Rules of Montana (ARM)

ecfr.gov
www.ecfr.gov
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Recent Changes
Corrections
Reader Aids
My eCFR
Search the eCFR
Sign In / Sign Up
NATIONAL ARCHIVES
Code of Federal Regulations
A point in time eCFR system
eCFR
READER AIDS
Welcome to the eCFR! Check out our Getting Started guide to make the most of the site.
Enter a search term or CFR reference (eg. fishing or 1 CFR 1.1)
Titles
Last Amended
Recent Changes
Title 1 :: General Provisions
Dec 29, 2022
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https://www.ecfr.gov

Montana Code Annotated 2023

TITLE 53. SOCIAL SERVICES AND INSTITUTIONS
CHAPTER 6. HEALTH CARE SERVICES

Part 1. Medical Assistance -- Medicaid

53-6-101 Montana medicaid program -- authorization of services
53-6-102 Repealed
53-6-103 Repealed
53-6-104 Freedom of doctors to treat recipients of medical assistance -- freedom to select doctor
53-6-105 Discrimination prohibited
53-6-106 Health care facility standards -- definitions
53-6-107 Sanctions -- penalties
53-6-108 Rules governing sanctions or remedies
53-6-109 Consistent regulation of long-term care facilities -- rulemaking authority -- timeframes
53-6-110 Report and recommendations on medicaid funding
53-6-111 Department charged with administration and supervision of medical assistance program -- overpayment recovery -- sanctions for fraudulent and abusive activities -- adoption of rules
53-6-112 Department to print and distribute copies of part and certain forms
53-6-113 Department to adopt rules
53-6-114 Rules of department binding
53-6-115 Contracts with other agencies
53-6-116 Medicaid managed care -- capitated health care

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Provider Enrollment

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- Chapter 86 Medicaid Primary Care Service

Fee Schedules – Physician

rules.mt.gov

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Administrative Rules of Montana Montana Administrative Register

Search...

www.mtrules.org screen shot listing image

Administrative Rules of Montana

ARM

Search a keyword, rule number, or MCA number

Search

Need help searching?

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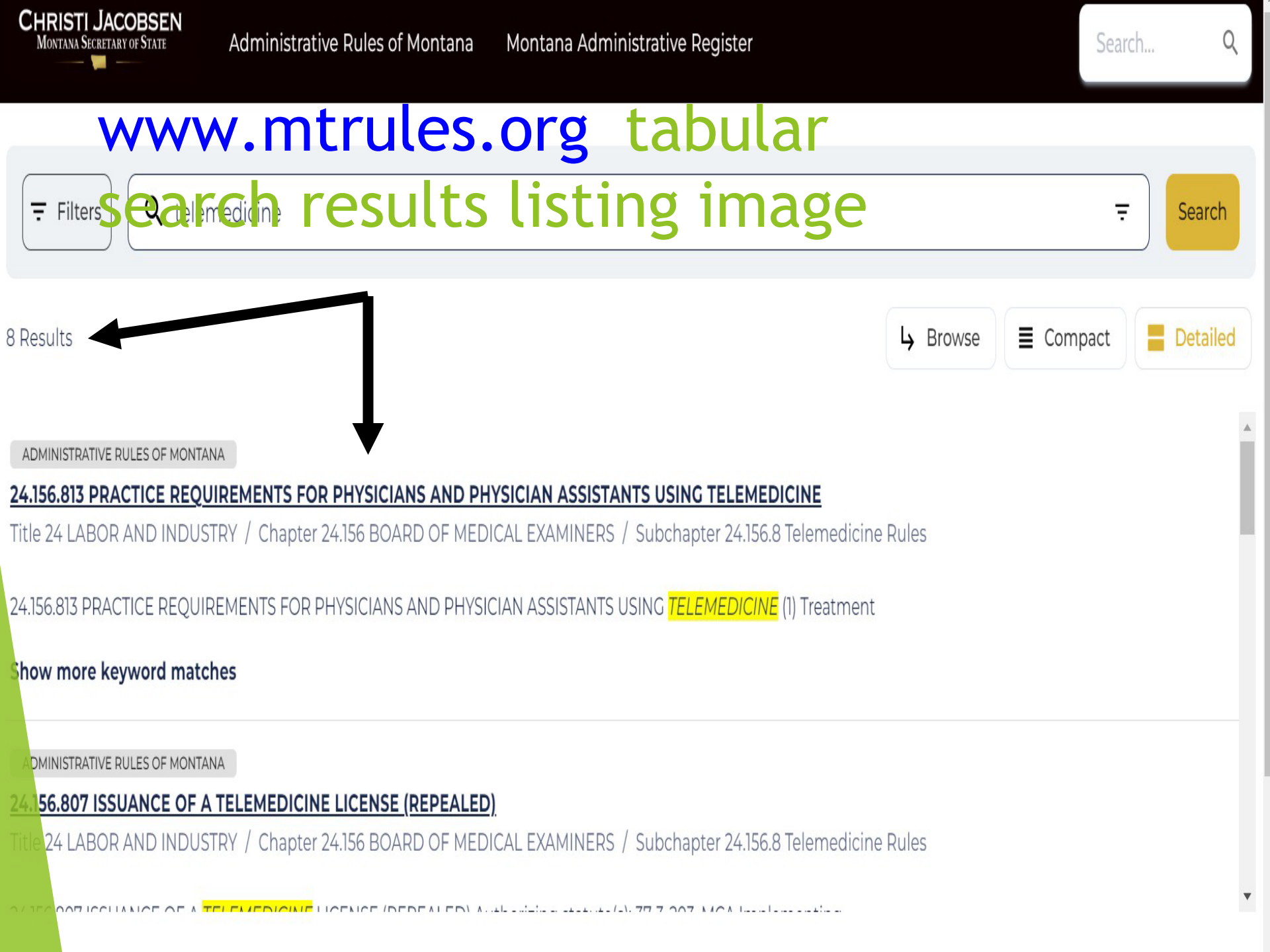
rules.mt.gov

Administrative Rules of Montana

ARM ▾ telemedicine Search

Need help searching?

- Administrative Rules of Montana
- Montana Administrative Register
- Emergency Rules
- Historical Information
- Resources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Montana Administrative Register
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telemedicine
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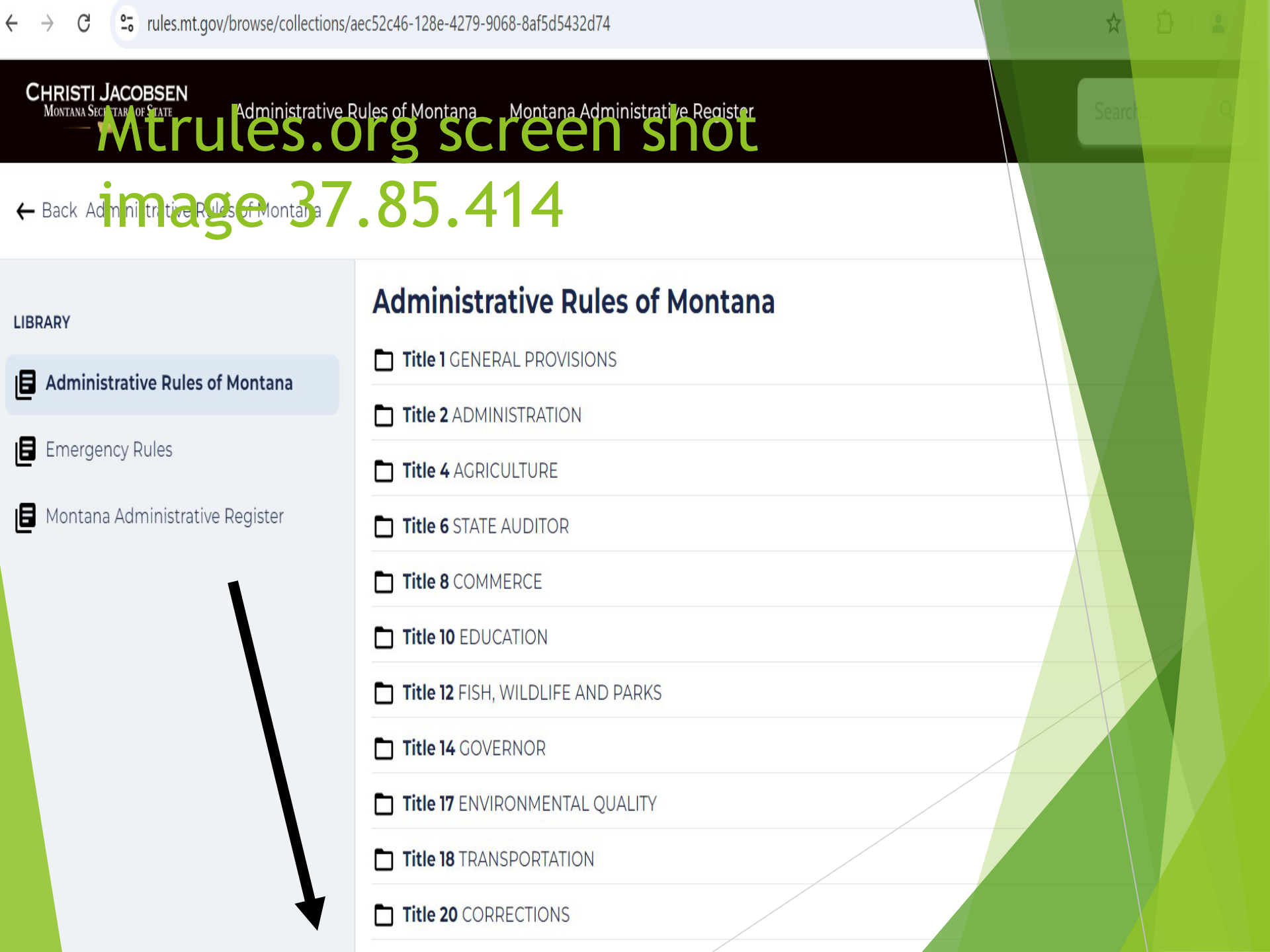
8 Results
Browse
Compact
Detailed
ADMINISTRATIVE RULES OF MONTANA
24.156.813 PRACTICE REQUIREMENTS FOR PHYSICIANS AND PHYSICIAN ASSISTANTS USING TELEMEDICINE
Title 24 LABOR AND INDUSTRY / Chapter 24.156 BOARD OF MEDICAL EXAMINERS / Subchapter 24.156.8 Telemedicine Rules
24.156.813 PRACTICE REQUIREMENTS FOR PHYSICIANS AND PHYSICIAN ASSISTANTS USING TELEMEDICINE (1) Treatment
Show more keyword matches
ADMINISTRATIVE RULES OF MONTANA
24.156.807 ISSUANCE OF A TELEMEDICINE LICENSE (REPEALED)
Title 24 LABOR AND INDUSTRY / Chapter 24.156 BOARD OF MEDICAL EXAMINERS / Subchapter 24.156.8 Telemedicine Rules

Administrative Rules of Montana

ARM ▼ | Search a keyword, rule number, or MCA number | Search

Need help searching?

- Administrative Rules of Montana
- Montana Administrative Register
- Emergency Rules
- Historical Information
- Resources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Title 2 ADMINISTRATION
Title 4 AGRICULTURE
Title 6 STATE AUDITOR
Title 8 COMMERCE
Title 10 EDUCATION
Title 12 FISH, WILDLIFE AND PARKS
Title 14 GOVERNOR
Title 17 ENVIRONMENTAL QUALITY
Title 18 TRANSPORTATION
Title 20 CORRECTIONS

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ADMINISTRATIVE RULES OF MONTANA

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- **Chapter 37.2** DEPARTMENT PROCEDURES
- **Chapter 37.5** FAIR HEARINGS AND CONTESTED CASE PROCEEDINGS
- **Chapter 37.8** RECORDS AND STATISTICS
- **Chapter 37.10** EMERGENCY HEALTH SERVICES
- **Chapter 37.12** LABORATORIES
- **Chapter 37.14** RADIATION CONTROL
- **Chapter 37.19** FAMILY PLANNING PROGRAMS
- **Chapter 37.21** DOCUMENTATION AND STUDY OF ABORTION
- **Chapter 37.25** RESIDENTIAL ALCOHOL AND DRUG TREATMENT FOR INDIGENT JUVE
- **Chapter 37.27** CHEMICAL DEPENDENCY PROGRAMS

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Title 30 LIEUTENANT GOVERNOR
Title 32 LIVESTOCK
Title 34 MILITARY AFFAIRS
Title 36 NATURAL RESOURCES AND CONSERVATION
Title 37 PUBLIC HEALTH AND HUMAN SERVICES
Title 38 PUBLIC SERVICE REGULATION
Title 42 REVENUE
Title 44 SECRETARY OF STATE

Chapter 37.80 CHILD CARE ASSISTANCE
Chapter 37.81 PHARMACY ACCESS PRESCRIPTION DRUG BENEFIT PROGRAM
Chapter 37.82 MEDICAID ELIGIBILITY
Chapter 37.83 MEDICAID FOR CERTAIN MEDICARE BENEFICIARIES AND OTHERS
Chapter 37.84 MEDICAID EXPANSION
Chapter 37.85 GENERAL MEDICAID SERVICES
Chapter 37.86 MEDICAID PRIMARY CARE SERVICES
Chapter 37.87 CHILDREN'S MENTAL HEALTH SERVICES
Chapter 37.88 MEDICAID MENTAL HEALTH SERVICES
Chapter 37.89 MENTAL HEALTH SERVICES
Chapter 37.90 MENTAL HEALTH MEDICAID FUNDED 1115 AND 1915 WAIVERS
Chapter 37.91 CERTIFICATION OF MENTAL HEALTH PROFESSIONAL PERSONS

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- Chapter 37.14 RADIATION CONTROL

Chapter 37.85 GENERAL MEDICAID SERVICES

- **Subchapter 37.85.1** Montana Medicaid Provider Fee Schedules
- **Subchapter 37.85.2** Miscellaneous
- **Subchapter 37.85.4** Provider Requirements
- **Subchapter 37.85.5** Provider Sanctions
- **Subchapter 37.85.9** Physician-Administered Drugs
- **Subchapter 37.85.11** Montana Medicaid Provider Incentive Program for Electronic Healthcare Reco

GENERAL MEDICAID SERVICES

- Subchapter 37.85.1 Montana Medicaid Provider Fee Schedules
- Subchapter 37.85.2 Miscellaneous
- **Subchapter 37.85.4 Provider Requirements**
- Subchapter 37.85.5 Provider Sanctions
- Subchapter 37.85.9 Physician-Administered Drugs
- Subchapter 37.85.11 Montana Medicaid Provider Incentive Program for Electronic Healthcare Records

- **37.85.402** PROVIDER ENROLLMENT AND AGREEMENTS
- **37.85.403** ICD CLINICAL MODIFICATION (CM) AND PROCEDURAL CODING SYSTEM (PCS) SERVICES
- **37.85.406** BILLING, REIMBURSEMENT, CLAIMS PROCESSING, AND PAYMENT
- **37.85.407** THIRD PARTY LIABILITY
- **37.85.410** DETERMINATION OF MEDICAL NECESSITY
- **37.85.411** PROVIDER RIGHTS
- **37.85.412** INTERPRETATION OF RULES
- **37.85.413** LIMITATIONS ON CODING ADVICE
- **37.85.414** MAINTENANCE OF RECORDS AND AUDITING
- **37.85.415** MEDICAL ASSISTANCE MEDICAID PAYMENT

ARM 37.85.414 screen shot

ADMINISTRATIVE
RULES OF
MONTANA

37.85.414 MAINTENANCE OF RECORDS AND AUDITING

(1) All providers of service must maintain records which fully demonstrate the extent, nature and medical necessity of services and items provided to Montana Medicaid recipients. The records must support the fee charged or payment sought for the services and items and demonstrate compliance with all applicable requirements.

(a) All records which support a claim for a service or item must be complete within 90 days after

Versions

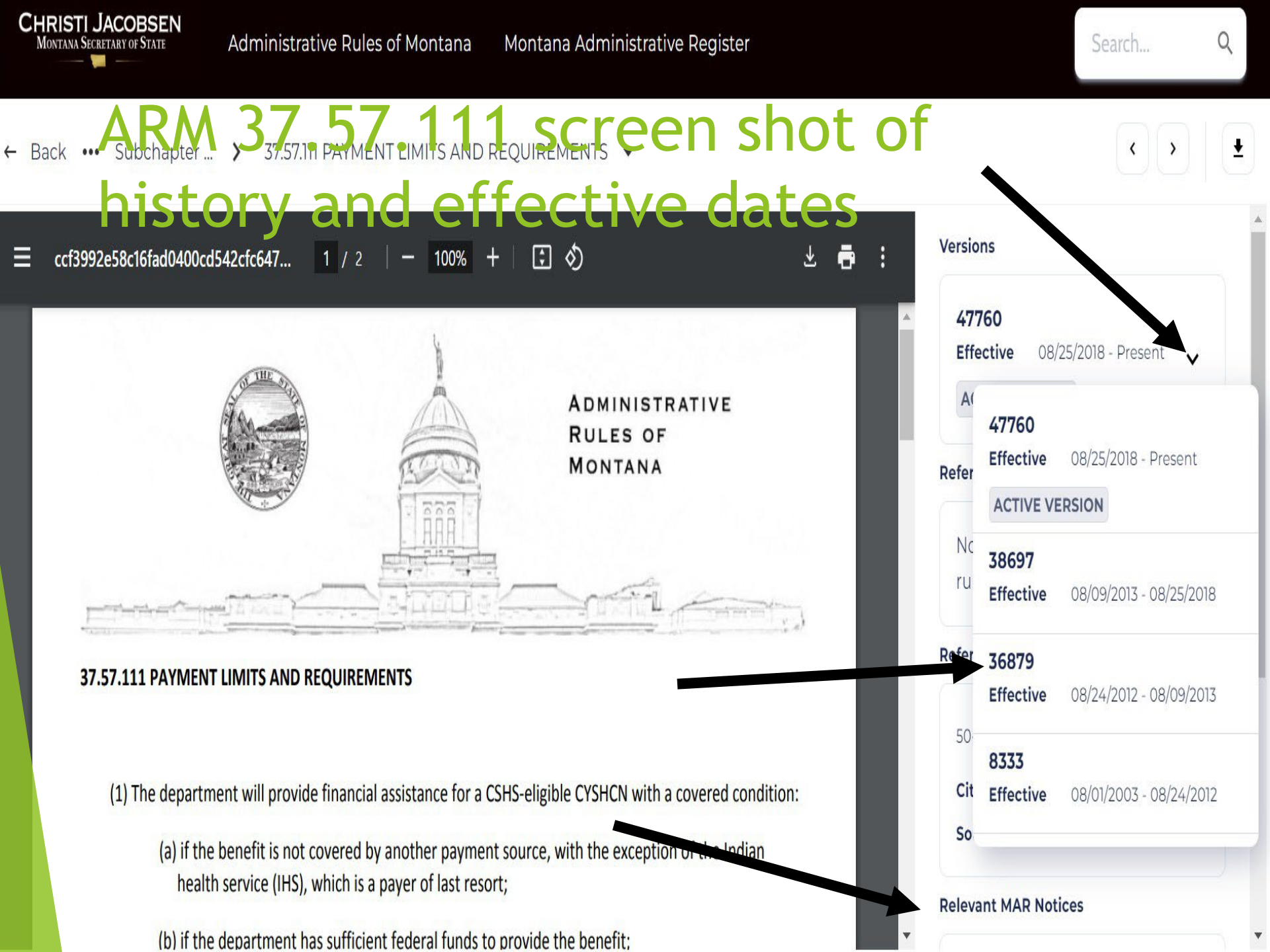
8681
Effective 04/01/2005 - Present
ACTIVE VERSION

Referenced by

37.34.1930 PROVIDER REQUIREM...
Citation 37.34.1930
Source Administrative Rules of Mo...

37.27.120 ALL STATE APPROVED P...
Citation 37.27.120
Source Administrative Rules of Mo...

ARM 37.57.111 screen shot of history and effective dates



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Coding Reference Materials

Some coding reference materials

- CPT and CPT Assistant
- HCPCS
- ICD-10 CM
- ICD-10 PCS
- CDT
- DSM
- Publications or training specific to your specialty.

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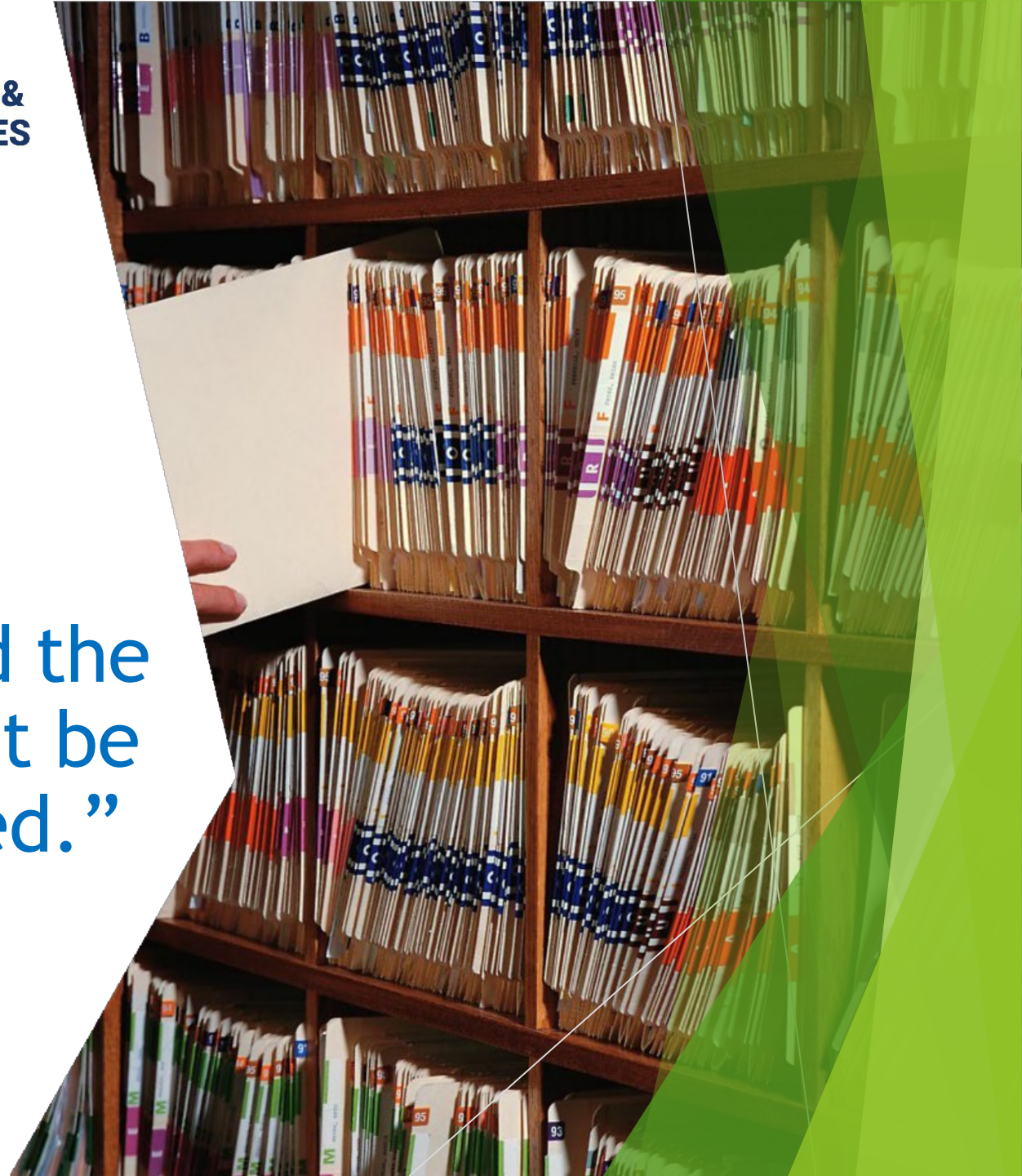

"If it isn't documented the service can't be substantiated."

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Maintain records which demonstrate the extent, nature and medical necessity of services provided [ARM 37.85.414]

DOCUMENT!

DOCUMENT!

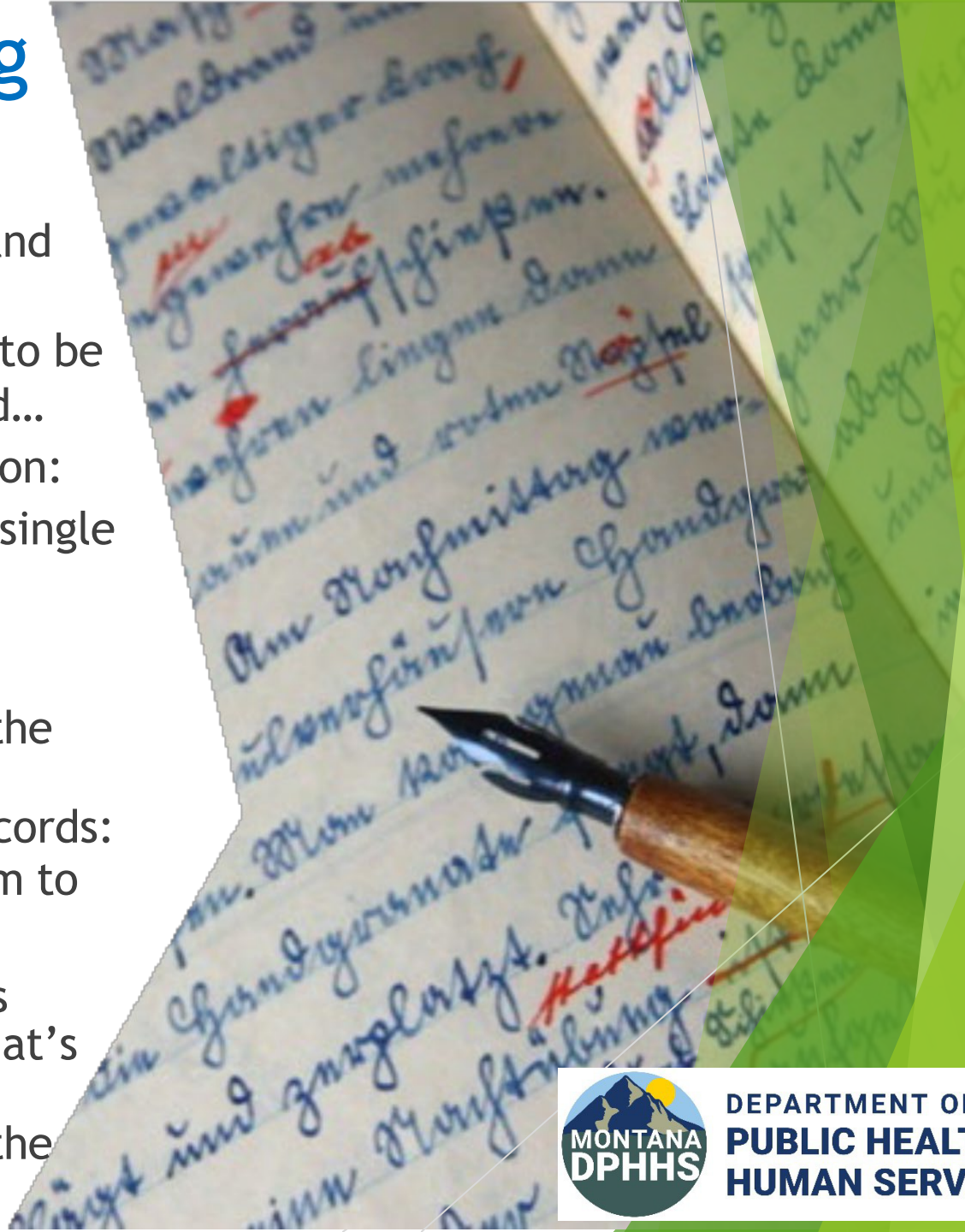
DOCUMENT!

DOCUMENT!

Record Keeping Tips

Records cannot be altered and must reflect the services provided. If a record needs to be corrected, a provider should…

- For Written Documentation:
  - Cross out with a single line
  - Write correct information
  - Date and initial the correction
- For Electronic Health Records:
  - Add an addendum to the note/ documentation indicating what's incorrect and what's correct
  - Date and initial the correction



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More Record Keeping Tips

- Providers must have a contingency plan to ensure the availability of documentation in the event of a loss of medical records.

  [ARM 37.85.414]

- Providers must obtain **written** authorization from the Department for any variation from the usual billing practice.

  [ARM 37.85.412 and 37.85.413]

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Provider Responsibility

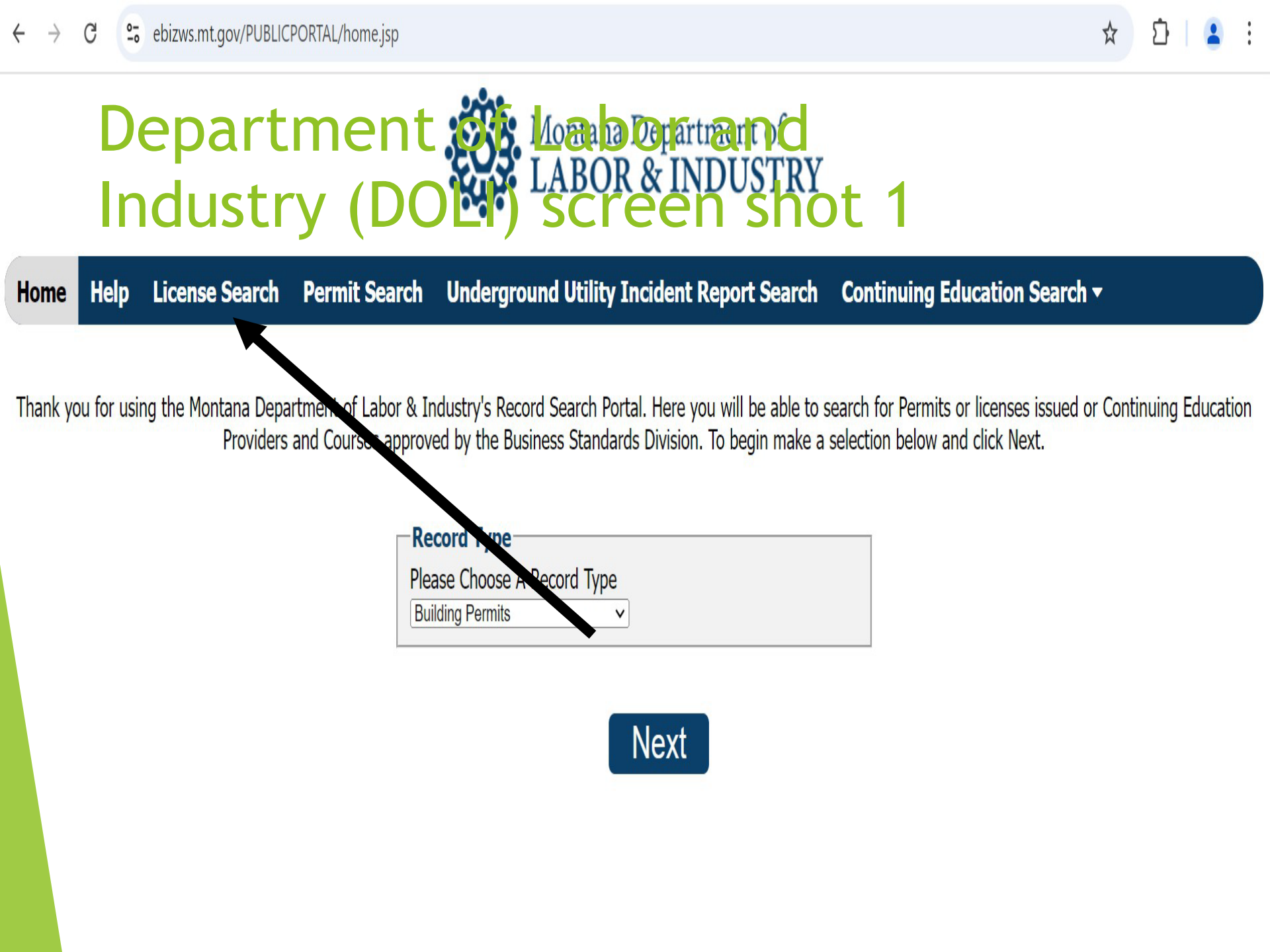
It is the ***responsibility of the provider*** to be knowledgeable about sections of the Administrative Rules that relate to their provider type, provider policies and covered services.

In addition, providers are encouraged to ensure their employees are not listed on the federal exclusion databases.

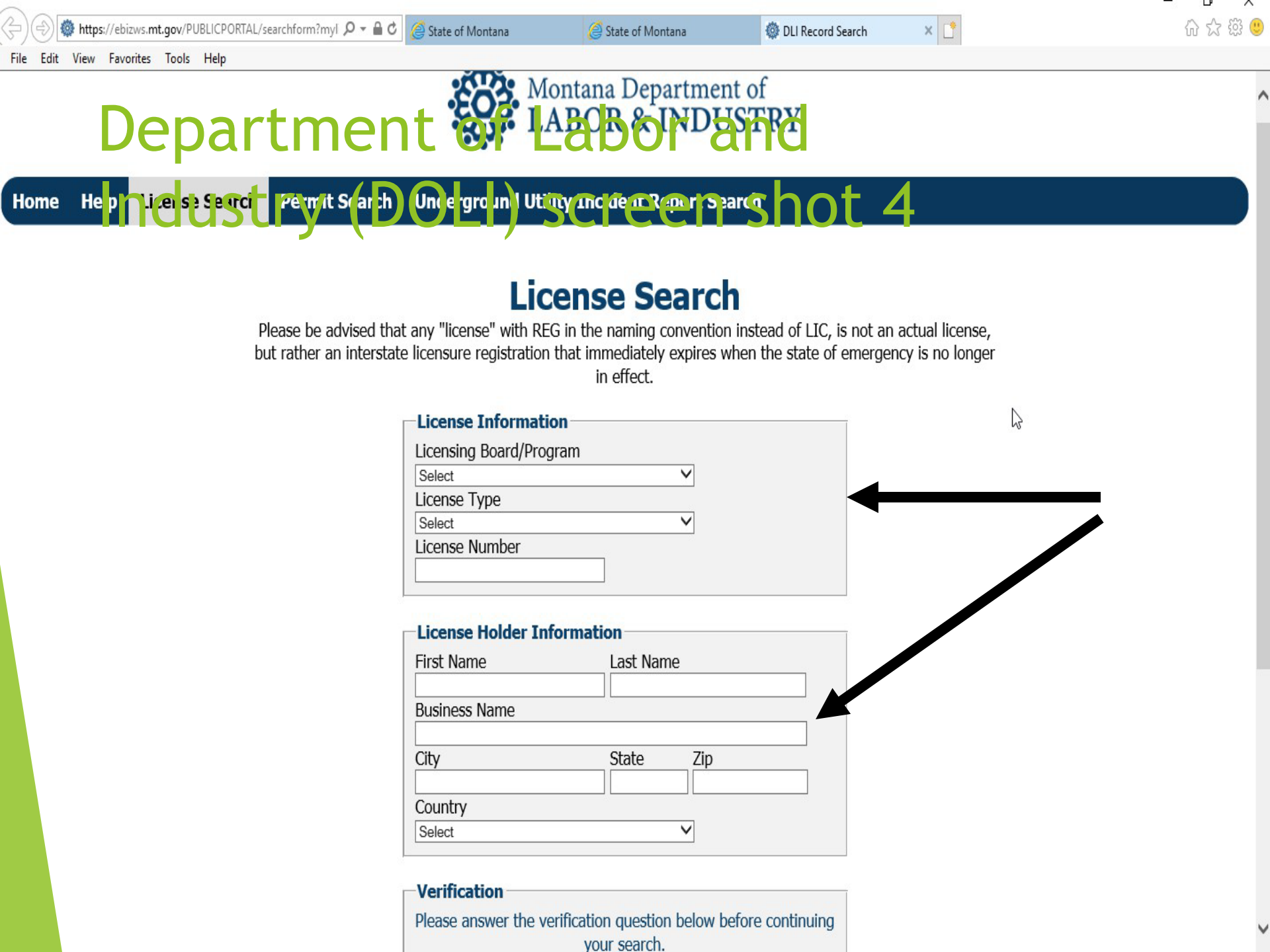
Special Advisory http://oig.hhs.gov/exclusions/advisories.asp

- **DOLI** (https://ebizws.mt.gov/PUBLICPORTAL/home.jsp)
- **LEIE** (http://exclusions.oig.hhs.gov/)
- **SAM** (https://www.sam.gov)

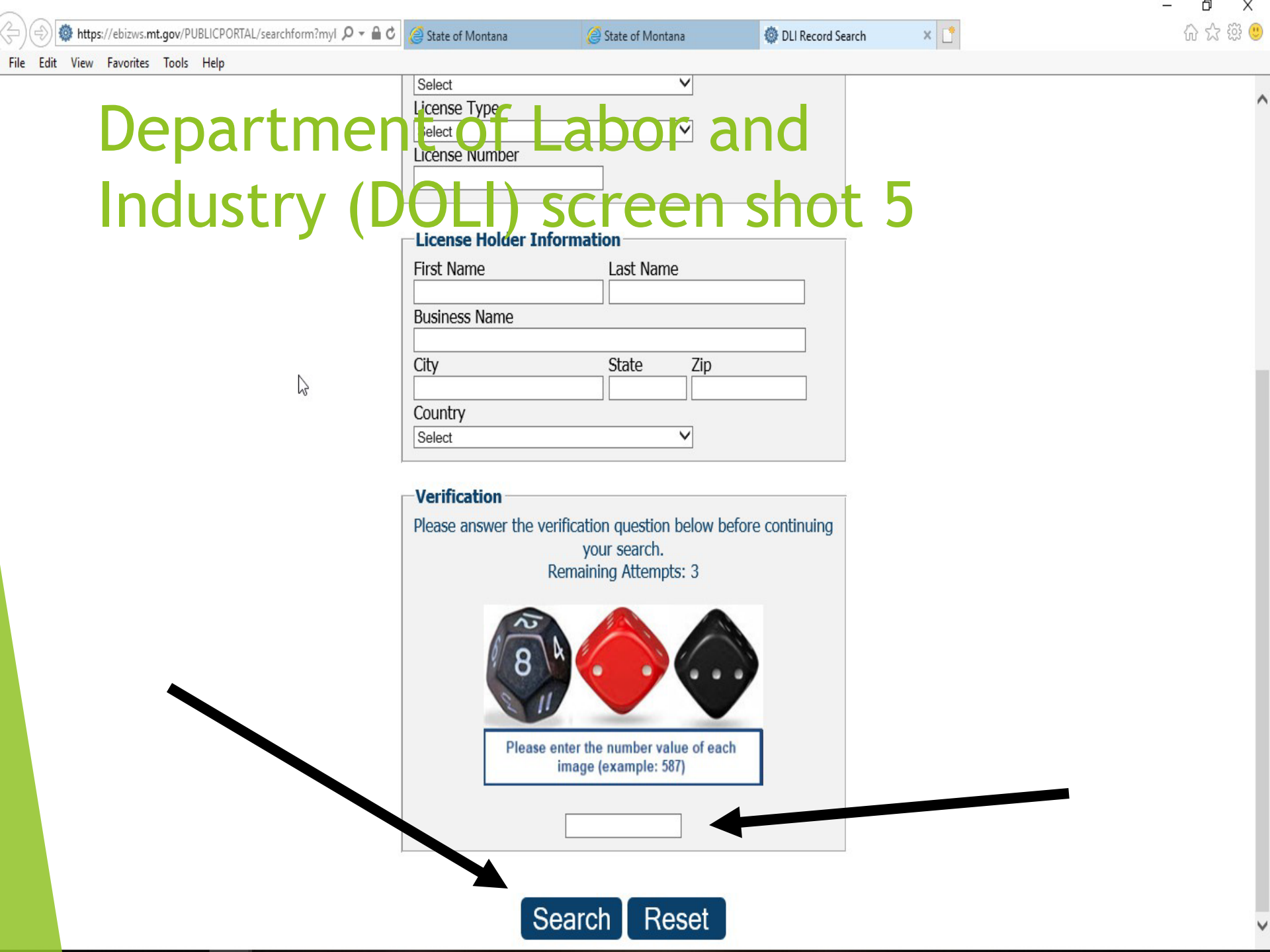
Department of Labor and Industry (DOLI) screen shot 1



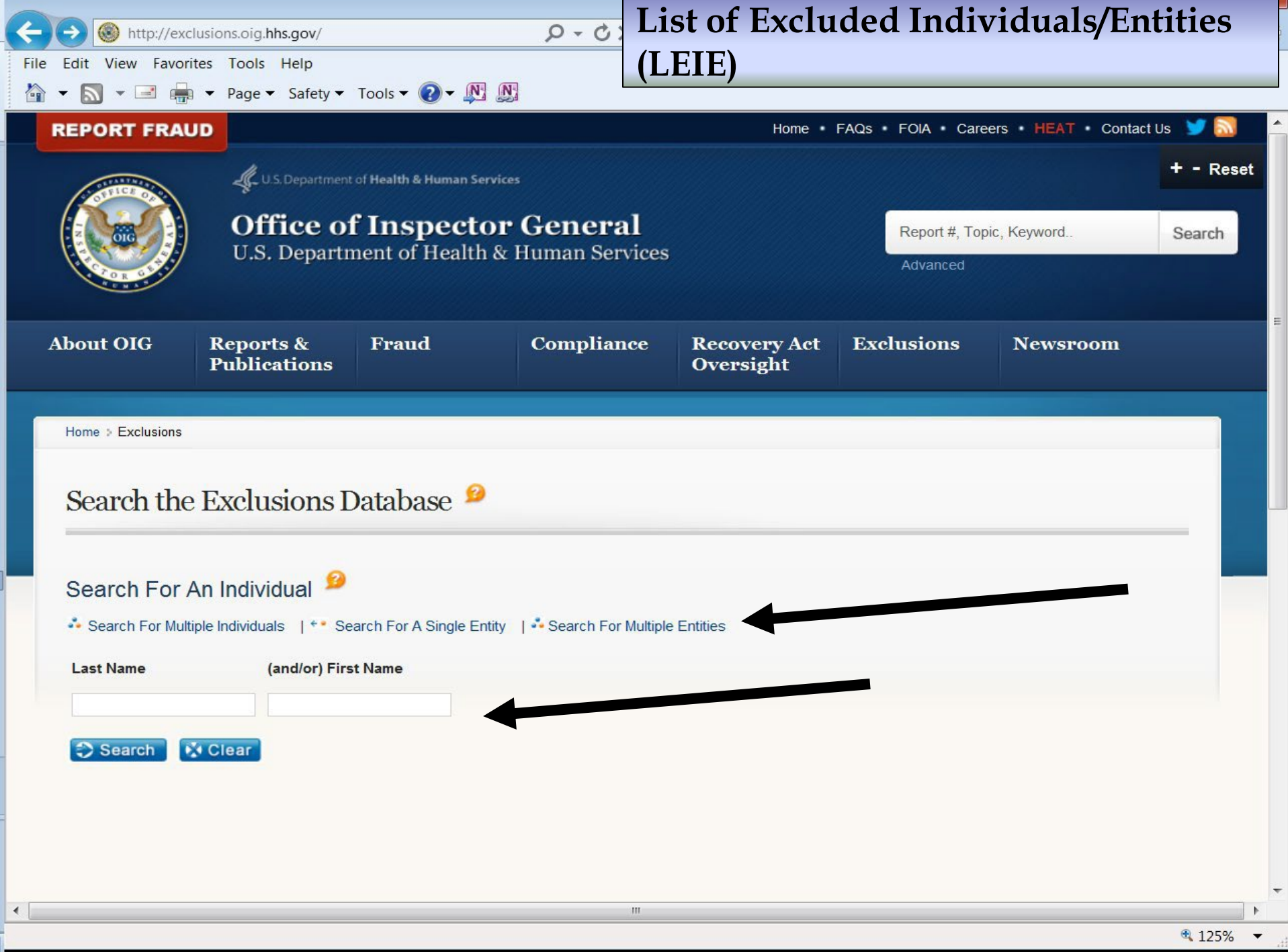
Department of Labor and Industry (DOLI) screen shot 4

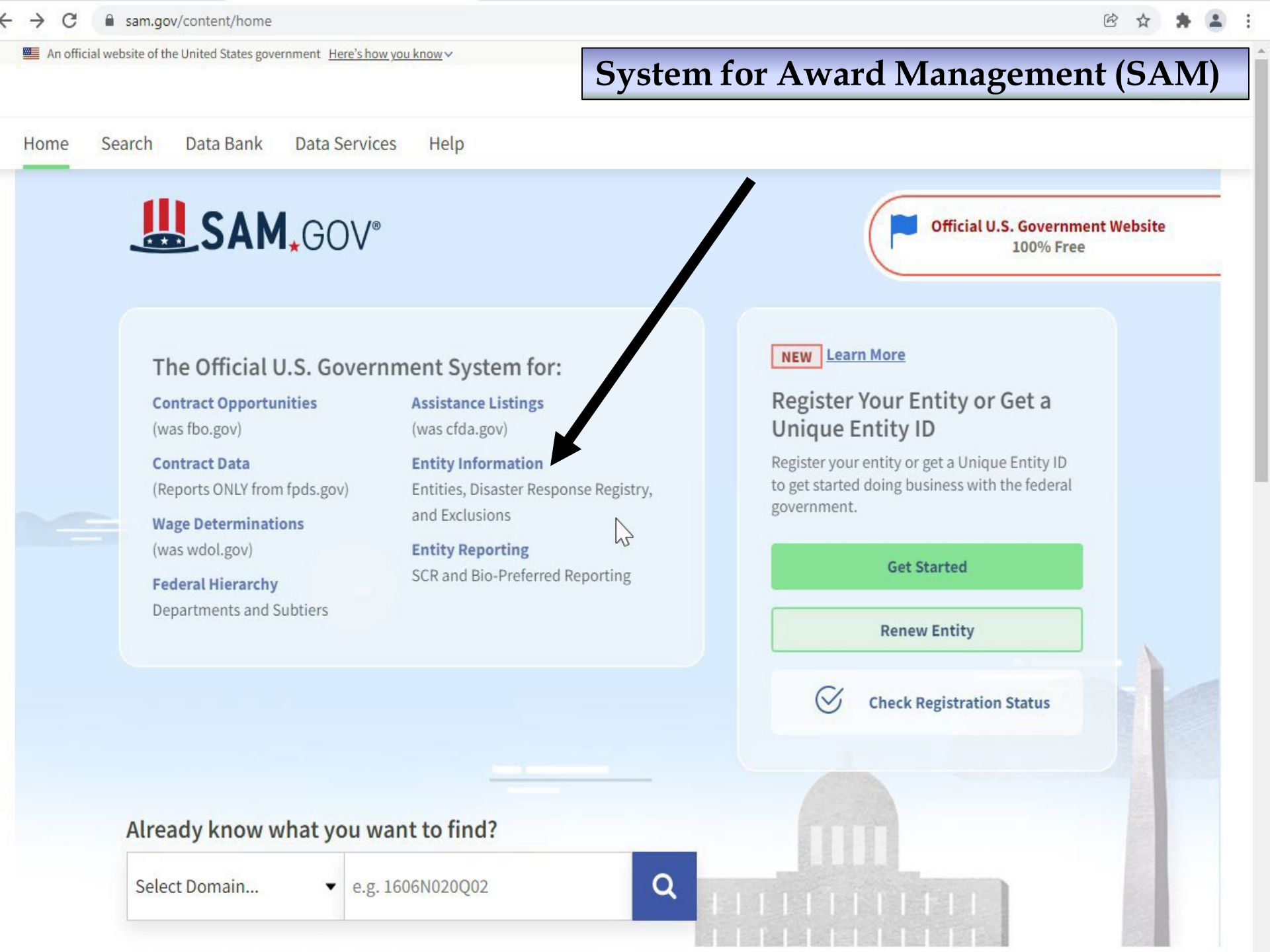


Department of Labor and Industry (DOLI) screen shot 5

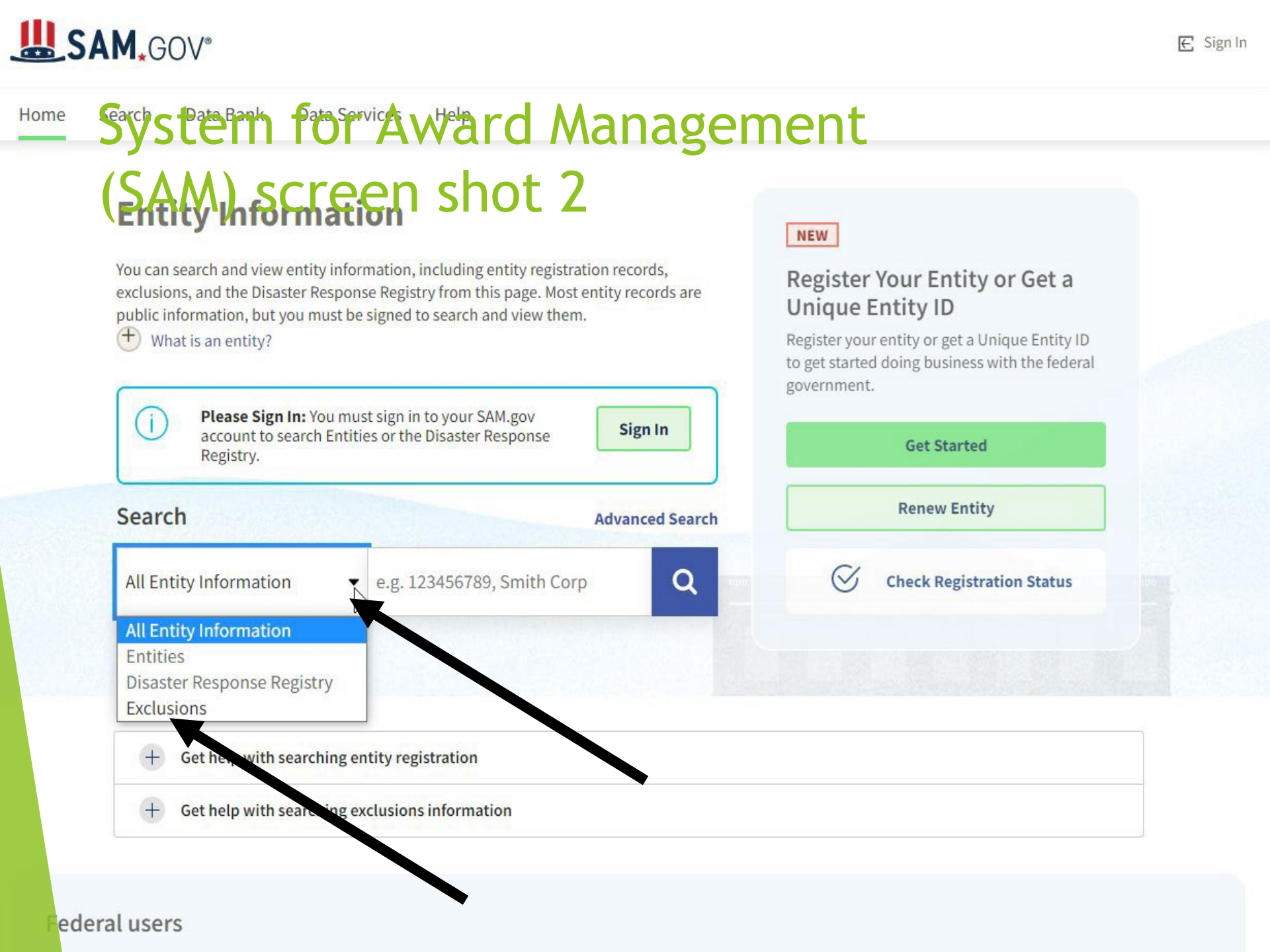


List of Excluded Individuals/Entities (LEIE)

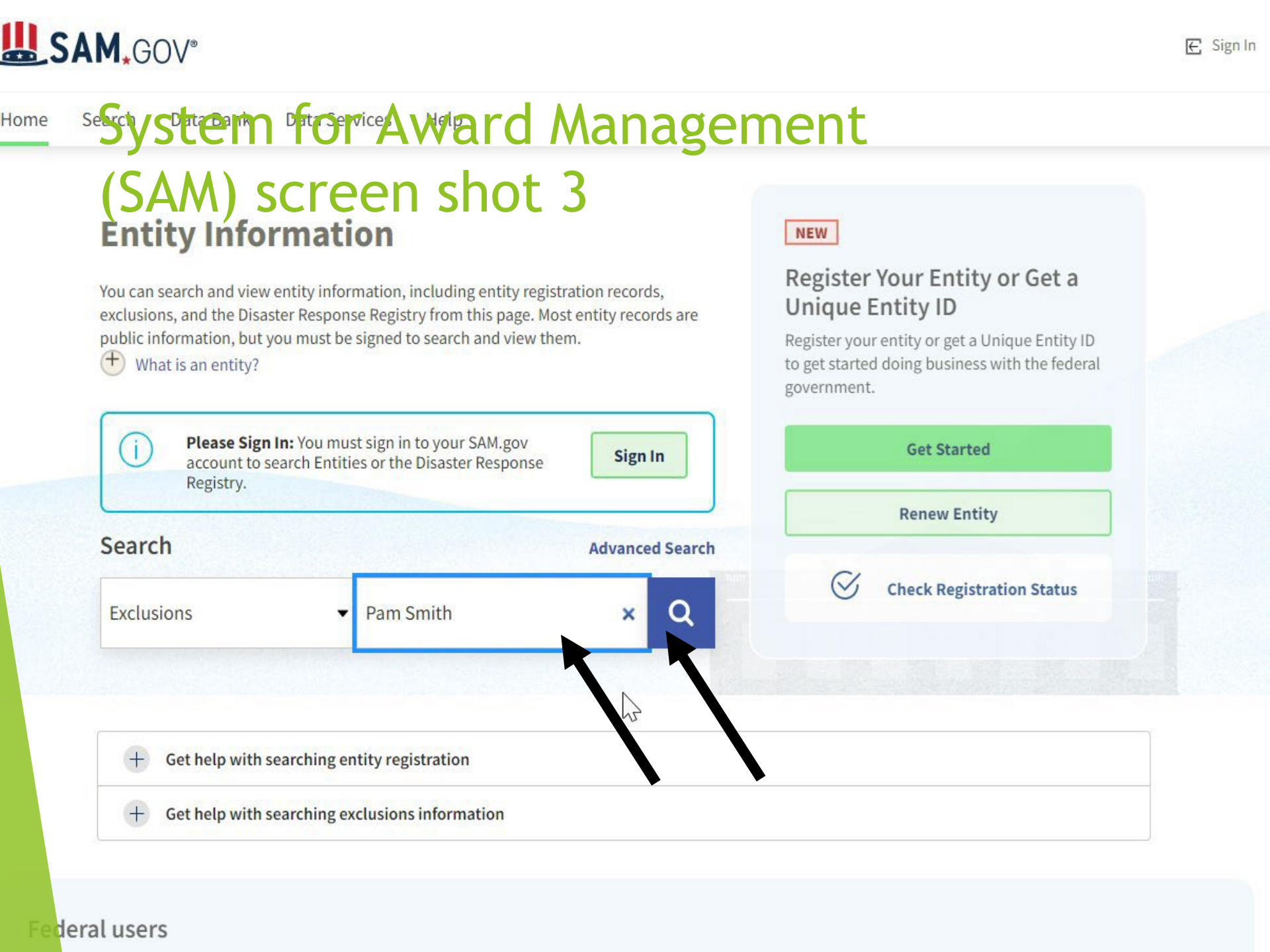



sam.gov/content/home
An official website of the United States government Here's how you know
System for Award Management (SAM)
Home
Search
Data Bank
Data Services
Help
SAM.GOV®
Official U.S. Government Website
100% Free
The Official U.S. Government System for:
Contract Opportunities
(was fbo.gov)
Contract Data
(Reports ONLY from fpds.gov)
Wage Determinations
(was wdol.gov)
Federal Hierarchy
Departments and Subtiers
Assistance Listings
(was cfda.gov)
Entity Information
Entities, Disaster Response Registry, and Exclusions
Entity Reporting
SCR and Bio-Preferred Reporting
NEW
Learn More
Register Your Entity or Get a Unique Entity ID
Register your entity or get a Unique Entity ID to get started doing business with the federal government.
Get Started
Renew Entity
Check Registration Status
Already know what you want to find?
Select Domain...
e.g. 1606N020Q02

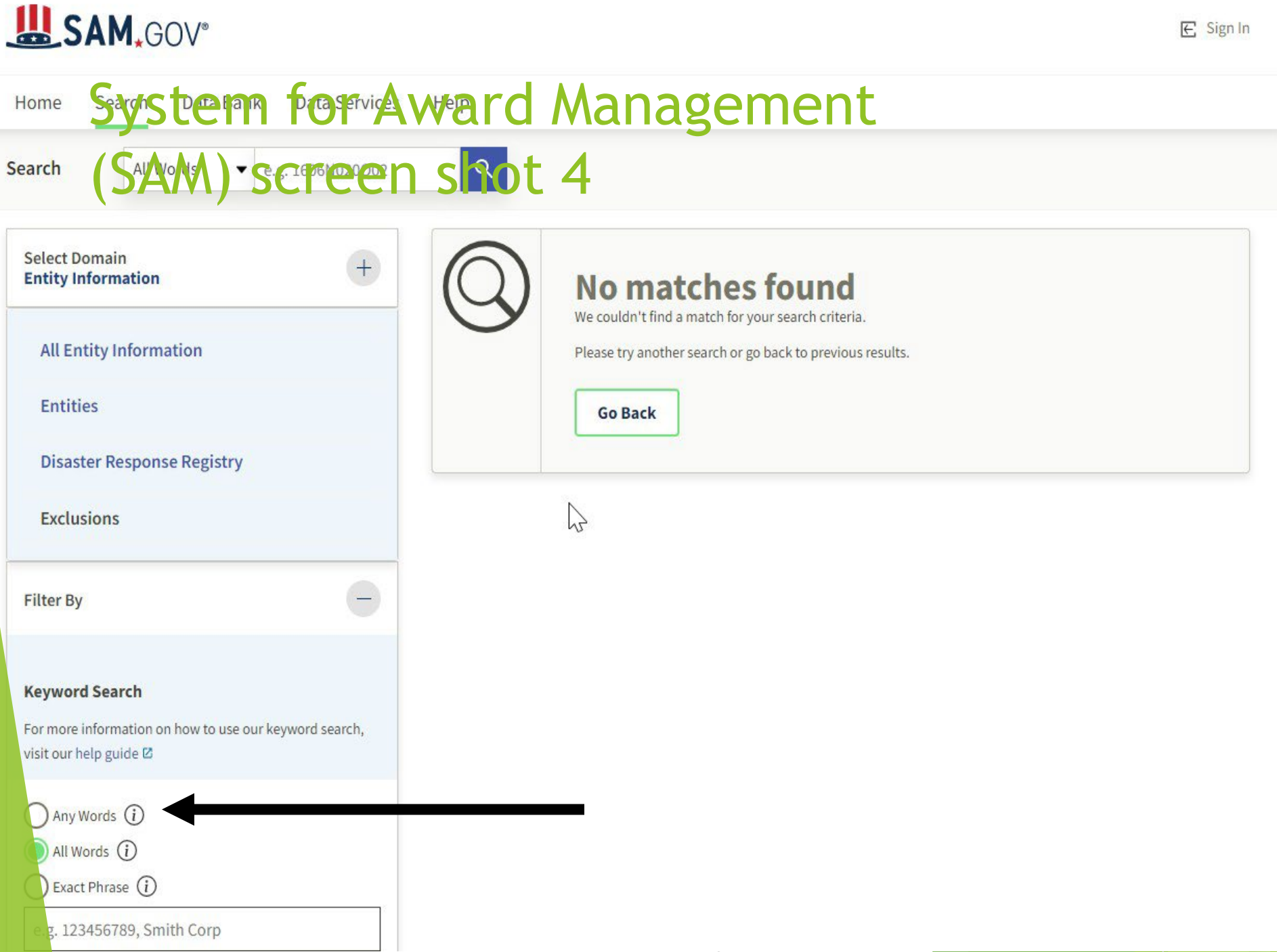
System for Award Management (SAM) screen shot 2



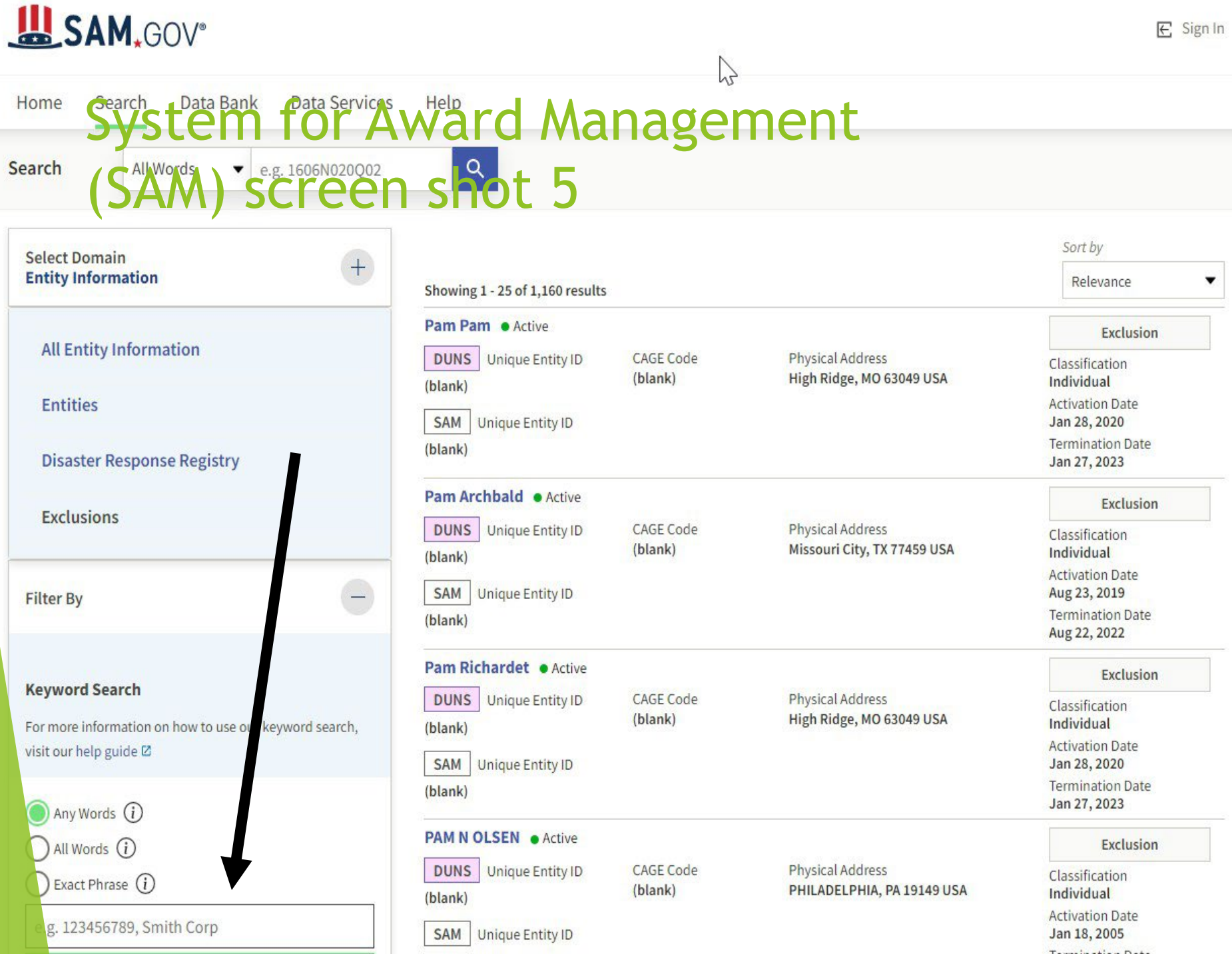
System for Award Management (SAM) screen shot 3



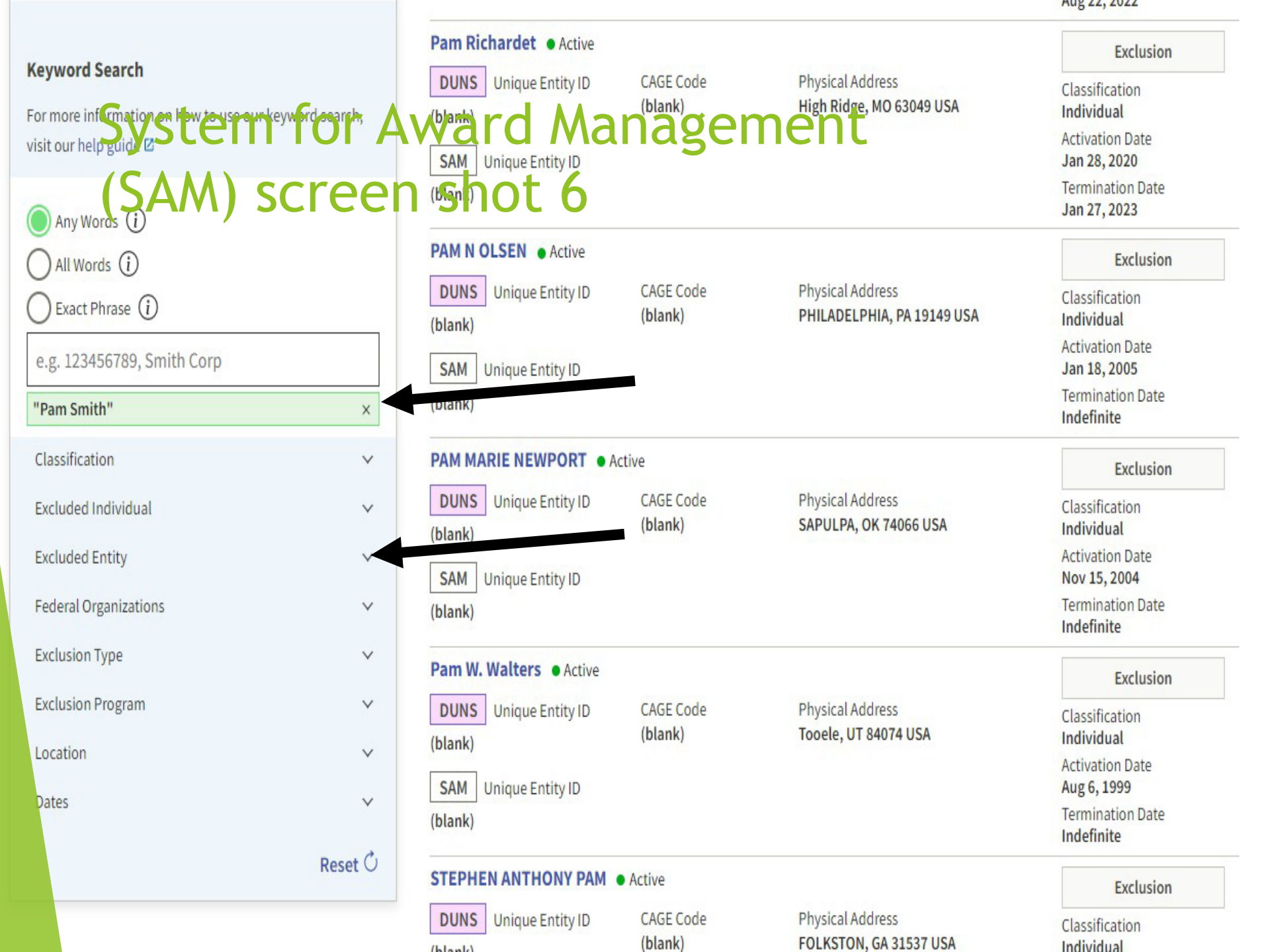
System for Award Management (SAM) screen shot 4



System for Award Management (SAM) screen shot 5



System for Award Management (SAM) screen shot 6

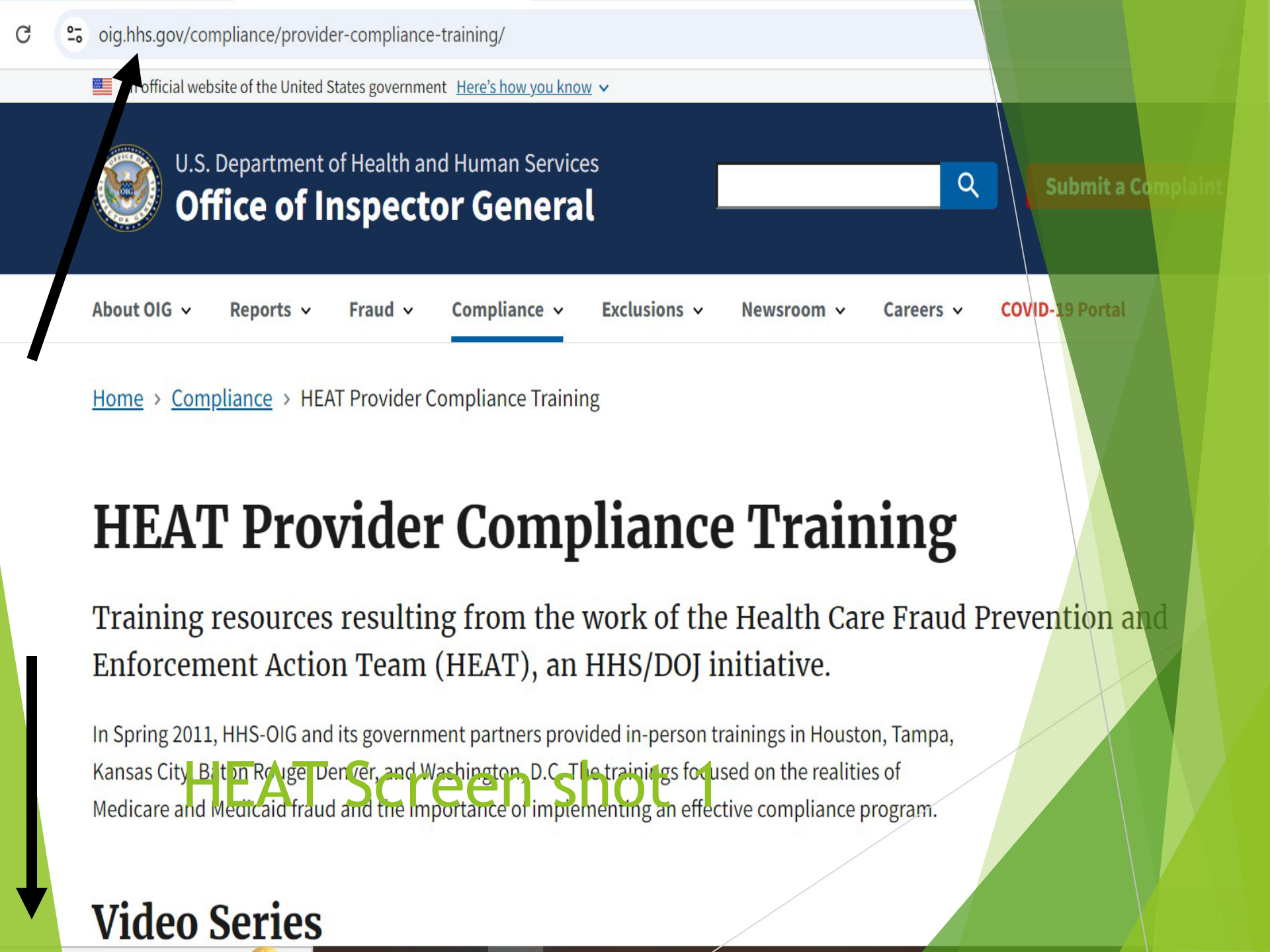


DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES

Health Care Fraud Prevention and Enforcement Action Team (HEAT) Provider Compliance Training

http://oig.hhs.gov/newsroom/video/2011/heat_modules.asp

- Understanding Program Exclusions
- Importance of Documentation



HEAT Screen shot 1

oig.hhs.gov/compliance/provider-compliance-training/

Screen print of HEAT website 2

Webcast Modules

There are 16 modules in the HEAT Provider Compliance Training Webcast, recorded on May 18, 2011. The following resources are now hosted on YouTube.

1. Welcome Remarks (4:37 minutes long)
2. Overview of OIG (9:56 minutes long)
3. Navigating the Fraud and Abuse Laws (26:26 minutes long)
4. Compliance Program Basics (17:01 minutes long)
5. Operating an Effective Compliance Program (15:59 minutes long)
6. Understanding Program Exclusions (10:26 minutes long)
7. Navigating the Government (5:10 minutes long)
8. Overview of Centers for Medicare and Medicaid Services (34:24 minutes long)
9. Importance of Documentation (17:06 minutes long)
10. OIG Subpoenas Audits Surveys and Self Disclosure Protocol (17:42 minutes long)
11. Health Care Fraud Enforcement Panel (6:08 minutes long)
12. Health Care Fraud Enforcement Panel with CMS Deputy Admin (13:43 minutes long)
13. Health Care Fraud Enforcement Panel with Special Agent (15:10 minutes long)
14. Health Care Fraud Enforcement Panel with Asst. US Attorney (17:08 minutes long)
15. Health Care Fraud Enforcement Panel - Fraud Control Unit (11:15 minutes long)

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HIPAA

- American Recovery & Reinvestment Act has many changes for HIPAA [45 CFR, Part 160-164]
  - http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h1enr.pdf
- CMS Website for HIPAA info
  - http://www.cms.gov/HIPAAGenInfo/
- Office for Civil Rights Website
  - http://www.hhs.gov/ocr/privacy/index.html

Theran Fries
Privacy Officer
HIPAA Program
Office of Legal Affairs

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Helena, MT 59620-2960

DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES

What are we doing?

Our unit is consistently working on several projects:

- Team Reviews
- Self Reviews
- Individual Reviews
- New Provider Reviews
- Data Reviews
- Active Provider Reviews

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The progression of reviews…

1. Review idea
2. Collection of data
3. Initial contact with provider
4. Records request letter
5. Records review
6. Overpayment letter
7. Administrative Review
8. Additional records or information review
9. Administrative Review determination
10. Fair Hearing
11. Fair Hearing determination
12. Board of Public Assistance
13. Judicial Court
14. Overpayment
15. Closure

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Top issues within reviews …

- Incomplete documentation (demonstrating the extent and nature of the service).
- Incomplete or missing orders/prescriptions.
- Missing dates and signatures on notes or DME delivery confirmation.
- Missing time in and out or full amount of time spent on time-based codes.
- Up-coding Evaluation and Management.
- Identifying information on documentation.

Additional review errors …

- Billing for services not personally provided.
- Unbundling of services.
- Illegible records.
- Electronic records out of Word.

MONTANA DPHHS
DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES

DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES

SURS Staff

Jennifer Tucker, CPC, CPIP; SURS Supervisor

- 8 Program Integrity Compliance Specialists
  - Licensed Practical Nurse
  - Certified Professional Coders
  - Certified Program Integrity Professionals
  - Subject Matter Experts

assigned to multiple provider types and specialties

DEPARTMENT OF PUBLIC HEALTH & HUMAN SERVICES

Contact Information

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Questions?

Don't Forget
to Document