



Surveillance Utilization Review Section (SURS)





Jennifer Tucker, CPC SURS Supervisor



What is SURS?

Surveillance/Utilization Review Section 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.



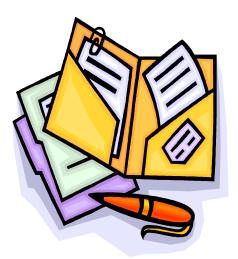


We accomplish this by:

• performing retrospective reviews

educating providers

recovering overpayments if indicated





• Claims processing system includes numerous edits

- To identify most billing errors
- It doesn't detect all errors





- 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



Overpayment Recovery



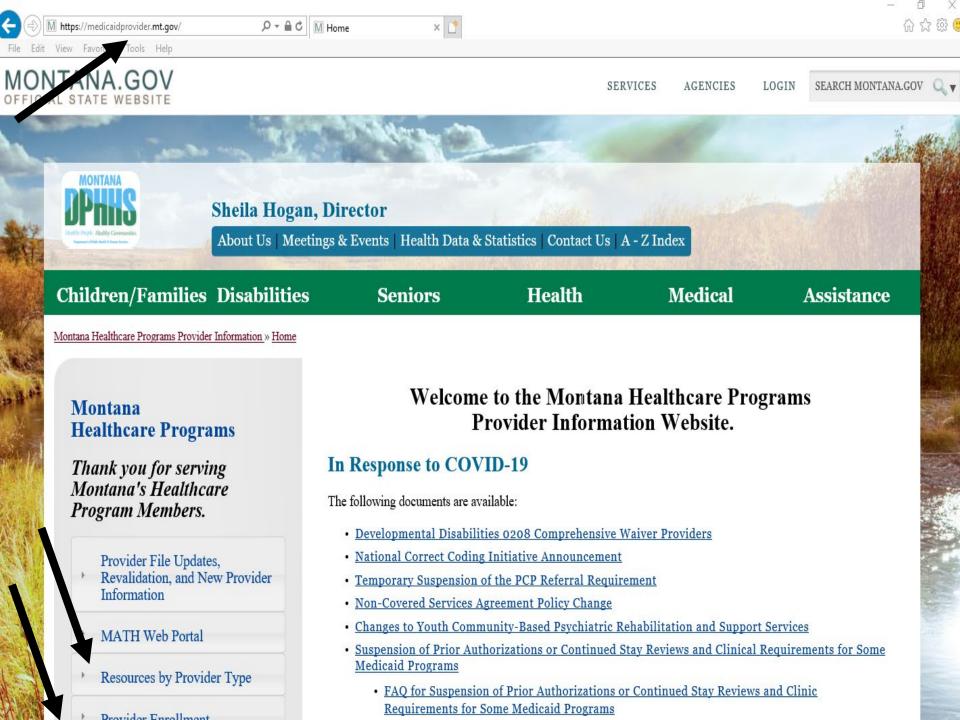
SURS can recover if it discovers that the provider was not entitled to payment for any reason. [ARM 37.85.406 (9) & (10)]



Montana Medicaid Website

https://medicaidprovider.mt.gov/

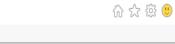




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For access to previous Training PowerPoints, please visit the Training page at https://medicaidprovider.mt.gov/training.

Reminder: New MATH Web Portal Link

The MATH web portal has a new link.

The new link is https://mtaccesstohealth.portal.conduent.com/mt/general/home.do

The link to the portal that contained "ACS" has been disabled and if you attempt to use it you will get a security warning.

If you are unable to locate a resource you need, please contact Provider Relations at 1 (800) 624-3958 or (406) 442-1837

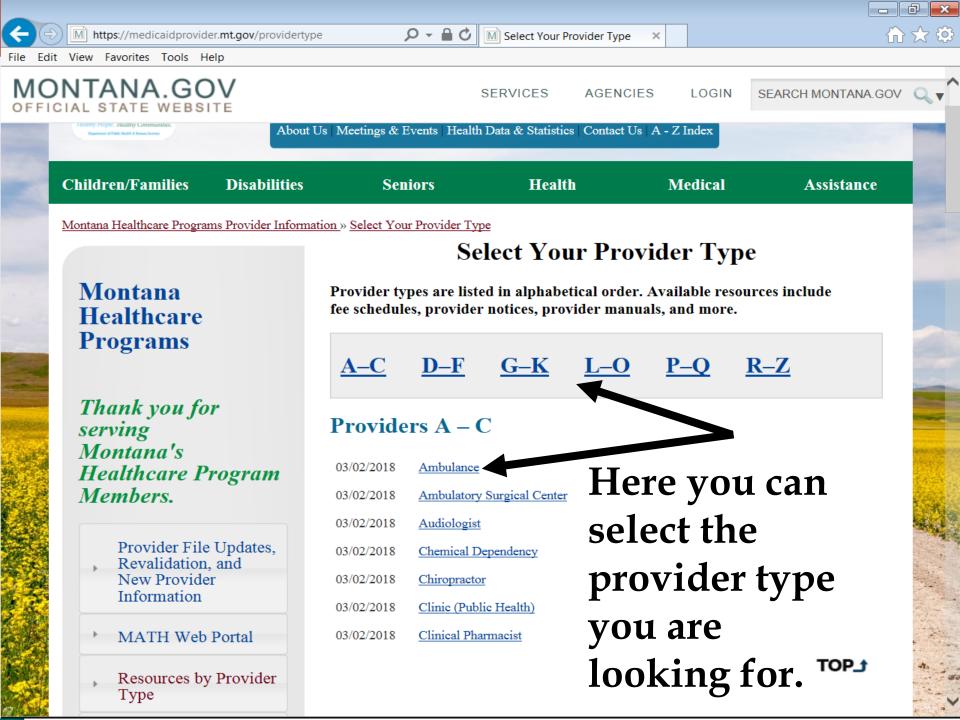


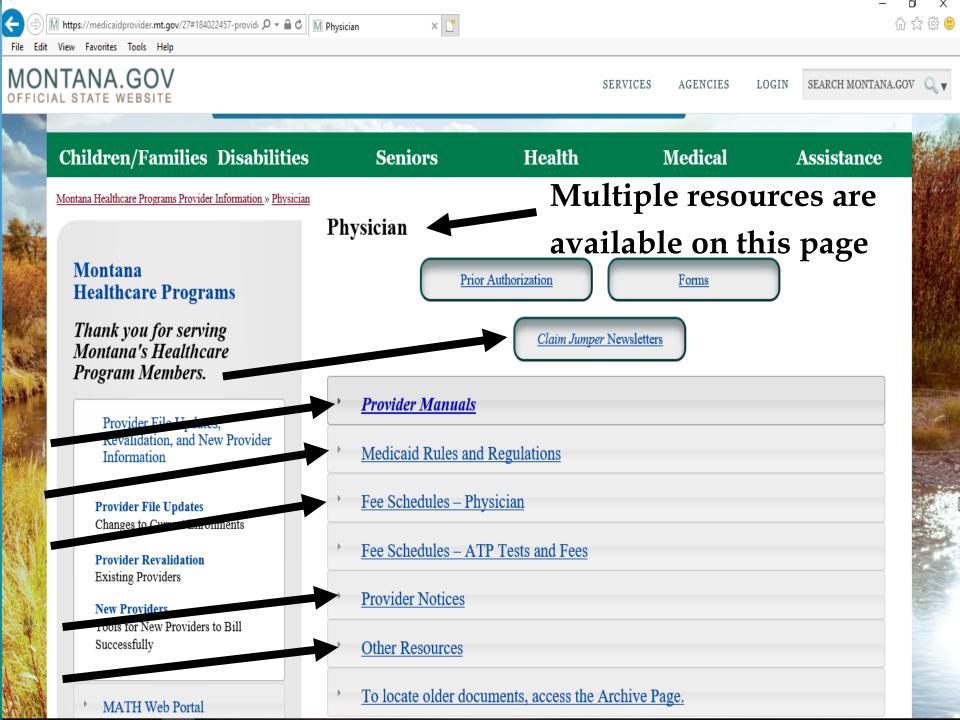
Nondiscrimination Notice/Policy

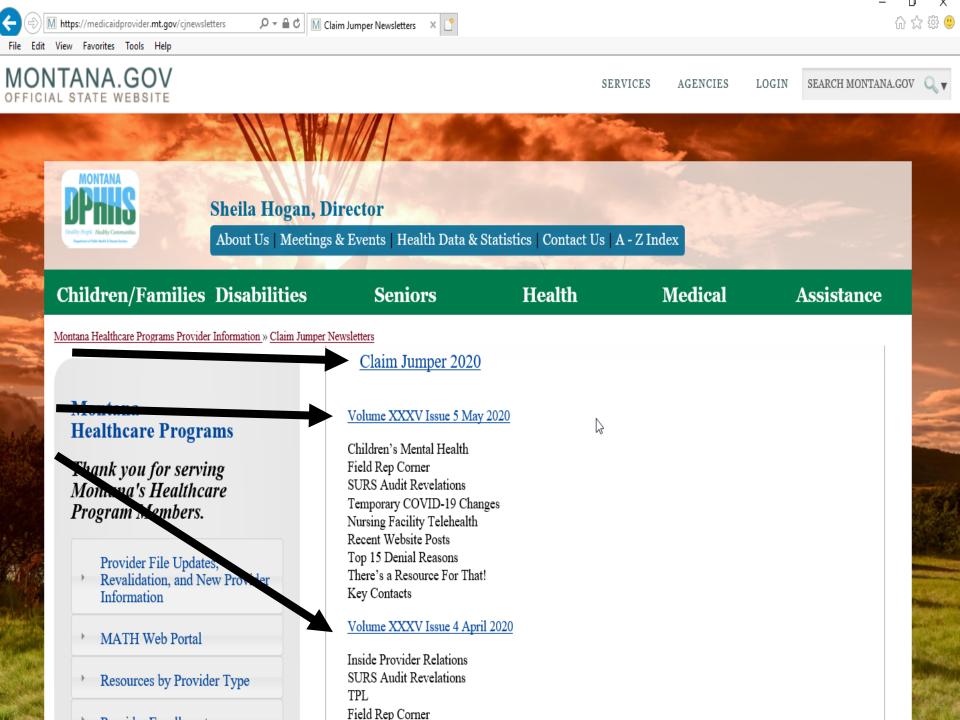
Notice of Use of Protected Health

Contact Webmaster

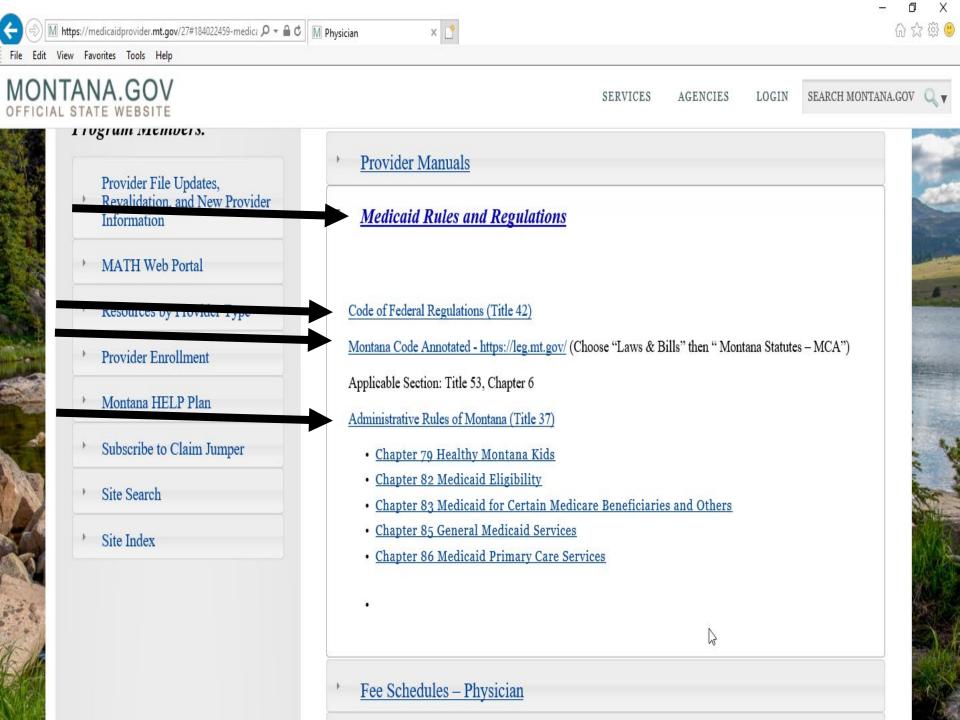
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Healthcare Programs	Provider M	lanuals		
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serving	Physician-Relate	d Services 12/2017		
Montana's Healthcare Program	This manual has	information specific to	o your provider type.	
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Provider File Updates, Revalidation, and New Provider	Passport to Healt	<u>h</u> 10/2017		
Information	Everything a proprovider.	vider needs to know to	o become a successful Pa	assport
MATH Web Portal				



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Provider Enrollment **Provider Notices** Montana HELP Plan For prescription medication notices, see the Pharmacy page/ Subscribe to Claim Jumper 2020 Site Search 04/30/2020 National Correct Coding Initiative Announcement 04/28/2020 Temporary Suspension of the PCP Referral Requirement Site Index 04/27/2020 Non-Covered Services Agreement Policy Change 04/23/2020 Elimination of Prior Authorization and Criteria Requirements for MRI of the Head and CT of the Brain 04/22/2020 Suspension of Prior Authorizations or Continued Stay Reviews and Clinical Requirements for Some Medicaid Programs · FAQ for Suspension of Prior Authorizations or Continued Stay Reviews and Clinic **Requirements for Some Medicaid Programs** 04/01/2020 Suspension of Face to Face Requirements for Some Medicaid Programs 03/19/2020 Telemedicine Medicaid Coverage and Reimbursement Policy for Telemedicine/Telehealth rev 03/27/2020 03/19/2020 Telemedicine Policy Clarification · Frequently Asked Questions on Telemedicine / Telehealth 03/12/2020 Medical Food or Formula for Phenylketonuria (PKU) due to Inborn Errors of Metabolism (IEM) - HCPCS Code S9435 02/28/2020 Starting Dose and Quantity Limitations for Sedative Hypnotics 02/25/2020 Physician Administered Drug Update 01/24/2020 Consent for Sterilization Form

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Rule/Regulation Materials

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



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Electronic Code of Federal Regulations e-CFR-

Related Resources

The Code of Federal Regulations (CFR) annual edition is the codification of the general and permanent rules published in the Federal Register by the departments

Electronic Code of Federal Regulations

e-CFR data is current as of May 8, 2018

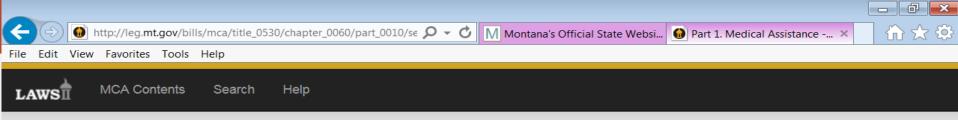
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Title 1 - General Provisions \sim Go

Need assistance?



MCA Contents / TITLE 53 / CHAPTER 6 / Part 1

Montana Code Annotated 2017

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

Part 1. Medical Assistance -- Medicaid

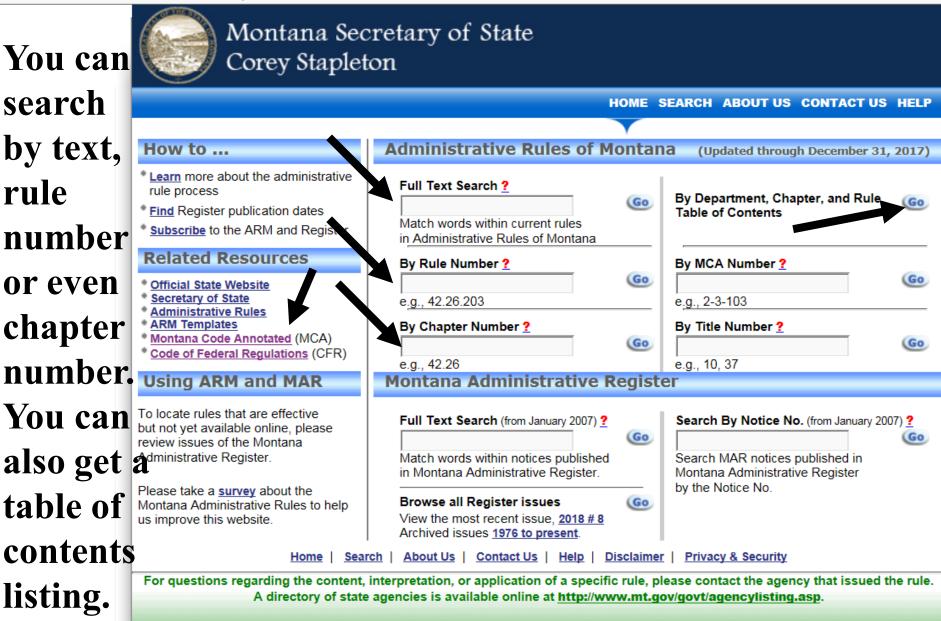
53-6-101 Montana medicaid program -- authorization of services 53-6-102 Repealed 53-6-103 Repealed 53-6-104 Freedom of doctors to treat recipients of medical assistance -- freedom to select doctor 53-6-105 Discrimination prohibited 53-6-106 Health care facility standards -- definitions 53-6-107 Sanctions -- 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 53-6-117 Participation requirements 53-6-118 through 53-6-120 reserved 53-6-121 Local administration of medical assistance 53-6-122 and 53-6-123 reserved 53-6-124 Definitions http://leg.mt.gov/bills/mca/title_0530/chapter_0060/part_0010/section_0050/0530-0060-001...



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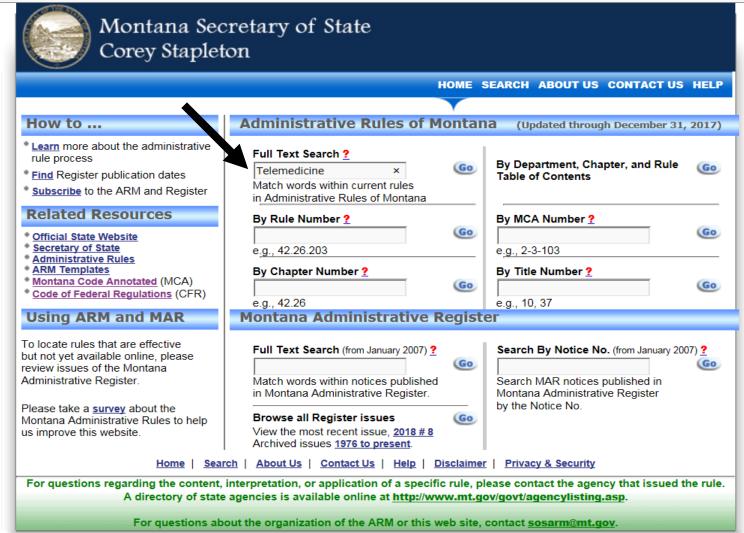
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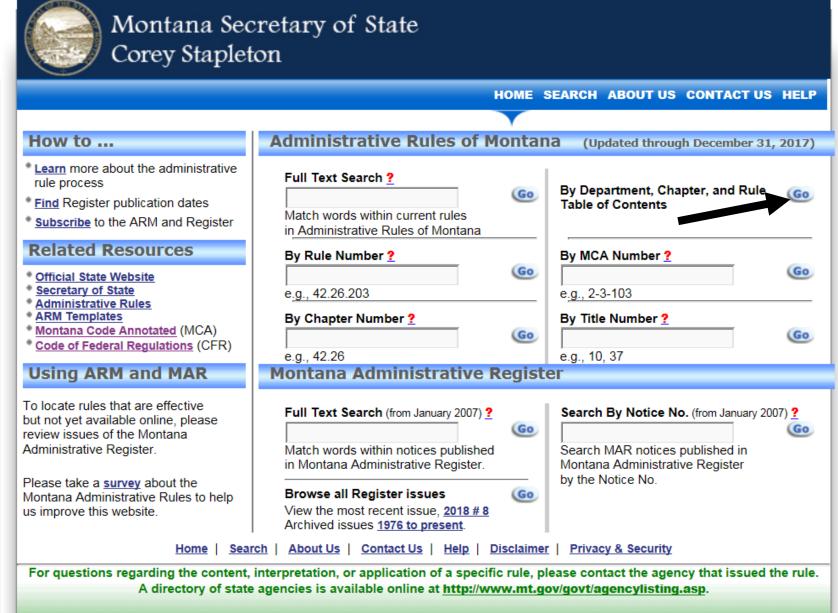
Rule No.	Rule Title	Rule File	Effective Date
<u>8.28.1904</u>	Application for a Telemedicine Certificate		
8.28.1907	Issuance of Telemedicine Certificate		
<u>8.28.1909</u>	Effect of Denial of Application for Telemedicine Certificate		
<u>8.28.1910</u>	Effect of Telemedicine Certificate		
24.101.413	RENEWAL DATES AND REQUIREMENTS		6/10/2017
<u>24.156.801</u>	PURPOSE AND AUTHORITY		10/27/2000
24.156.802	DEFINITIONS		5/14/2010
24.156.803	LICENSE REQUIREMENT		4/29/2017
24.156.804	APPLICATION FOR A TELEMEDICINE LICENSE		4/29/2017
24.156.805	FEES		4/29/2017
24.156.806	FAILURE TO SUBMIT FEES		4/29/2017
24.156.807	ISSUANCE OF A TELEMEDICINE LICENSE		4/29/2017
24.156.808	RENEWALS		4/29/2017
24.156.809	EFFECT OF DETERMINATION THAT APPLICATION FOR TELEMEDICINE LICENSE DOES NOT MEET REQUIREMENTS		4/29/2017
24.156.810	EFFECT OF TELEMEDICINE LICENSE		5/14/2010
24.156.811	SANCTIONS		4/29/2017
24.156.812	OBLIGATION TO REPORT TO THE BOARD		4/29/2017
<u>37.86.3401</u>	TARGETED CASE MANAGEMENT SERVICES FOR HIGH RISK PREGNANT WOMEN, DEFINITIONS		10/14/2017
<u>37.86.3901</u>	TARGETED CASE MANAGEMENT SERVICES FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS, DEFINITIONS		10/14/2017

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Rule No.	Rule Title	Latest Version	Effective Date
	Subchapter 1 Montana Medicaid Provider Fee Schedules	1	1
<u>37.85.104</u>	EFFECTIVE DATES OF PROVIDER FEE SCHEDULES FOR MONTANA NON-MEDICAID SERVICES		3/1/2018
37.85.105	EFFECTIVE DATES, CONVERSION FACTORS, POLICY ADJUSTERS, AND COST-TO- CHARGE RATIOS OF MONTANA MEDICAID PROVIDER FEE SCHEDULES		3/1/2018
<u>37.85.106</u>	MEDICAID BEHAVIORAL HEALTH TARGETED CASE MANAGEMENT FEE SCHEDULE		3/1/2018
	Subchapter 2 Miscellaneous		
<u>37.85.201</u>	SELECTION OF PROVIDER		7/1/1999
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<u>37.85.204</u>	MEMBER REQUIREMENTS, COST SHARING		1/1/2018
37.85.205	RECIPIENT RESTRICTION OF ACCESS TO MEDICAL SERVICES	REP	7/23/2004
37.85.206	SERVICES PROVIDED		5/7/2016
<u>37.85.207</u>	SERVICES NOT PROVIDED BY THE MEDICAID PROGRAM		1/1/2013
	Rules 37.85.208 through 37.85.211 reserved		
<u>37.85.212</u>	RESOURCE BASED RELATIVE VALUE SCALE (RBRVS) REIMBURSEMENT FOR SPECIFIED PROVIDER TYPES		9/9/2017
	Rules 37.85.213 through 37.85.218 reserved		

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	Subchapter 4 Provider Requirements		
<u>37.85.401</u>	PROVIDER PARTICIPATION		3/11/1997
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<u>37.85.403</u>	ICD CLINICAL MODIFICATION (CM) AND PROCEDURAL CODING SYSTEM (PCS) SERVICES		12/25/2014
	Rules 37.85.404 and 37.85.405 reserved		
37.85.406	BILLING, REIMBURSEMENT, CLAIMS PROCESSING, AND PAYMENT		10/1/2014
37.85.407	THIRD PARTY LIABILITY		3/11/1997
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<u>37.85.414</u>	MAINTENANCE OF RECORDS AND AUDITING		4/1/2005
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37.85.416	STATISTICAL SAMPLING AUDITS		6/30/2000
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	Rules 37.85.508 through 37.85.510 reserved		

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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 the date on which the claim was submitted to Medicaid for reimbursement. A record that is required to be signed and dated, including but not limited to an order, prescription, certificate of medical necessity, referral or progress note, is not complete until it has been signed and dated.

(b) When reimbursement is based on the length of time spent in providing the service, the records must specify the time spent or the time treatment began and ended for each procedure billed to the nearest minute. Total time billed using one or multiple procedure codes may not exceed the total actual time spent with the Medicaid client.

(c) These records must be retained for a period of at least six years and three months from the date on which the service was rendered or until any dispute or litigation concerning the services is resolved, whichever is later.

(d) In maintaining financial records, providers shall employ generally accepted accounting methods. Generally accepted accounting methods are those approved by the National Association of Certified Public Accountants.

(e) The department shall have access to all records so maintained and retained regardless of a provider's continued participation in the program.

(f) In the event of a change of ownership, the original owner must retain all required records unless an alternative method of providing for the retention of records has been established in writing and approved by the department

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of service the provider furnishes, which may be more restrictive than the minimum requirements of this rule.

(2) In addition to the recipient's medical records, any Medicaid information regarding a recipient or applicant is confidential and shall be used solely for purposes related to the administration of the Montana Medicaid program. This information shall not be divulged by the provider or his employees, to any person, group, or organization other than those listed below or a department representative without the written consent of the recipient or applicant. In addition, the provider must comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 USC 1320d et seq., and the Uniform Health Care Information Act, <u>50-16-501</u> et seq., MCA.

(3) The department, the designated review organization, the legislative auditor, the Department of Revenue, the Medicaid fraud control unit, and their legal representatives shall have the right to inspect or evaluate the quality, appropriateness, and timeliness of services performed by providers, and to inspect and audit all records required by this rule.

(a) Upon the department's request for records, the provider shall submit a true and accurate copy of each record of the service or item being reviewed as it existed within 90 days after the date on which the claim was submitted to Medicaid.

(b) Refusal to permit inspection, evaluation or audit of services shall result in the imposition of provider sanctions in accordance with the rules of the department.

(4) The provisions of this rule specifying the length of time for which records must be retained shall not be construed as a limitation on the period in which the department may recover overpayments or impose sanctions.

History: <u>53-6-113</u>, MCA; <u>IMP</u>, <u>53-2-201</u>, <u>53-6-101</u>, <u>53-6-111</u>, <u>53-6-113</u> and <u>53-6-141</u>, MCA; <u>NEW</u>, 1980 MAR p. 1491, Eff. 5/16/80; <u>AMD</u>, 1997 MAR p. 474, Eff. 3/11/97; <u>TRANS</u>, from SRS, 2000 MAR p. 479; <u>AMD</u>, 2005 MAR p. 459, Eff. 4/1/05.

4/1/2005 Current History: 53-6-113, MCA; IMP, 53-2-201, 53-6-101, 53-6-111, 53-6-113 and 53-6-141, MCA; NEW, 1980 MAR p. 1491, Eff. 5/16/80; AMD, 1997 MAR p. 474, Eff. 3/11/97; TRANS, from SRS, 2000 MAR p. 479; AMD, 2005 MAR p. 459, Eff. 4/1/05. Home Search About Us Contact Us Help Disclaimer Privacy & Security		AR ices	Effective From	Effective To	History Notes
Home Search About Us Contact Us Help Disclaimer Privacy & Security			4/1/2005	Current	53-6-141, MCA; <u>NEW</u> , 1980 MAR p. 1491, Eff. 5/16/80; <u>AMD</u> , 1997 MAR p. 474, Eff.
r questions regarding the content, interpretation, or application of a specific rule, please contact the agency that issued the A directory of state agencies is available online at <u>http://www.mt.gov/govt/agencylisting.asp</u> .	or questi	ons re	garding the	content, in	terpretation, or application of a specific rule, please contact the agency that issued the r

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(10) In addition to the above, the department will pay:

(a) the lesser of either the actual charge for drugs and other prescribed supplies, or the wholesale price cited, less 15%, plus a dispensing fee on the Medicaid point-of-sale system;

(b) 85% of the cost of durable medical equipment to the appropriate amount when allowing financial assistance, or to the maximum amount set by the program for the federal fiscal year;

(c) 85% of the cost of specialized formula and foods and prescriptive or nonprescriptive medications prescribed by a physician for inborn errors of metabolism; and

(d) 85% of the cost of syringes and disposable medical equipment for the treatment of covered conditions.

(11) A CYSHCN who attends interdisciplinary pediatric specialty clinics, supported by CSHS, is not responsible for copays, deductibles, or coinsurance, nor will they be balance-billed.

History: <u>50-1-202</u>, MCA; <u>IMP</u>, <u>50-1-202</u>, MCA; <u>NEW</u>, 1990 MAR p. 1256, Eff. 6/29/90; <u>AMD</u>, 1992 MAR p. 919, Eff. 5/1/92; <u>AMD</u>, 1994 MAR p. 1836, Eff. 7/8/94; <u>AMD</u>, 1999 MAR p. 2879, Eff. 12/17/99; <u>TRANS</u>, from DHES, 2001 MAR, p. 398; <u>AMD</u>, 2003 MAR p. 1637, Eff. 8/1/03; <u>AMD</u>, 2003 MAR p. 1637, Eff. 8/1/03; <u>AMD</u>, 2012 MAR p. 1672, Eff. 8/24/12; <u>AMD</u>, 2013 MAR p. 1449, Eff. 8/9/13.

MAR Notices	Effective From	Effective To	History Notes
<u>37-641</u>	8/9/2013	Current	History: <u>50-1-202</u> , MCA; <u>IMP</u> , <u>50-1-202</u> , MCA; <u>NEW</u> , 1990 MAR p. 1256, Eff. 6/29/90; <u>AMD</u> , 1992 MAR p. 919, Eff. 5/1/92; <u>AMD</u> , 1994 MAR p. 1836, Eff. 7/8/94; <u>AMD</u> , 1999 MAR p. 2879, Eff. 12/17/99; <u>TRANS</u> , from DHES, 2001 MAR, p. 398; <u>AMD</u> , 2003 MAR p. 1637, Eff. 8/1/03; <u>AMD</u> , 2003 MAR p. 1637, Eff. 8/1/03; <u>AMD</u> , 2012 MAR p. 1672, Eff. 8/24/12; <u>AMD</u> , 2013 MAR p. 1449, Eff. 8/9/13.
<u>37-588</u>	<u>8/24/2012</u>	8/9/2013	History: <u>50-1-202</u> , MCA; <u>IMP</u> , <u>50-1-202</u> , MCA; <u>NEW</u> , 1990 MAR p. 1256, Eff. 6/29/90; <u>AMD</u> , 1992 MAR p. 919, Eff. 5/1/92; <u>AMD</u> , 1994 MAR p. 1836, Eff. 7/8/94; <u>AMD</u> , 1999 MAR p. 2879, Eff. 12/17/99; <u>TRANS</u> , from DHES, 2001 MAR, p. 398; <u>AMD</u> , 2003 MAR p. 1637, Eff. 8/1/03; <u>AMD</u> , 2003 MAR p. 1637, Eff. 8/1/03; <u>AMD</u> , 2012 MAR p. 1672, Eff. 8/24/12.
	<u>8/1/2003</u>	8/24/2012	History: Sec. <u>50-1-202</u> , MCA; <u>IMP</u> , Sec. <u>50-1-202</u> , MCA; <u>NEW</u> , 1990 MAR p. 1256, Eff. 6/29/90; <u>AMD</u> , 1992 MAR p. 919, Eff. 5/1/92; <u>AMD</u> , 1994 MAR p. 1836, Eff. 7/8/94; <u>AMD</u> , 1999 MAR p. 2879, Eff. 12/17/99; <u>TRANS</u> , from DHES, 2001 MAR, p. 398; <u>AMD</u> , 2003 MAR p. 1637, Eff. 8/1/03.

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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.



"If it isn't documented, it didn't happen."





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



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]



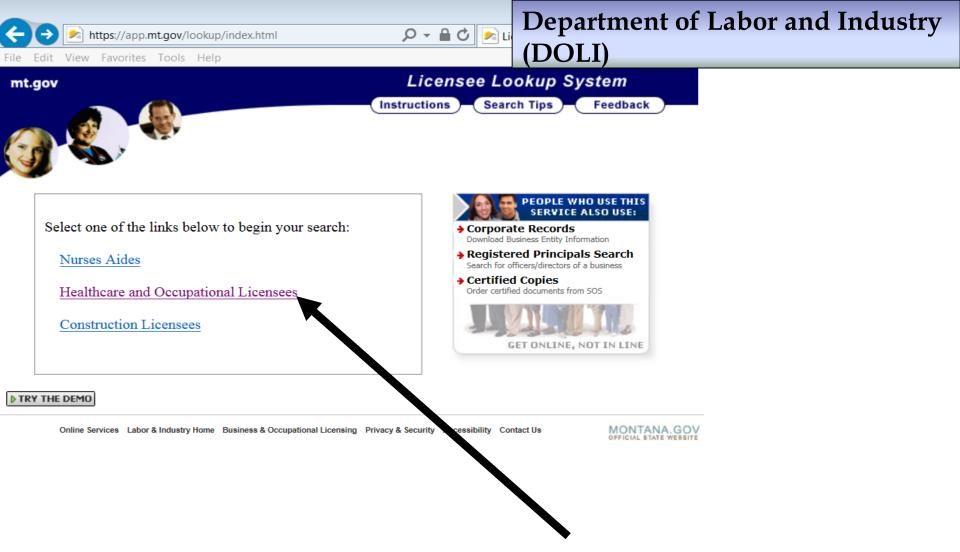


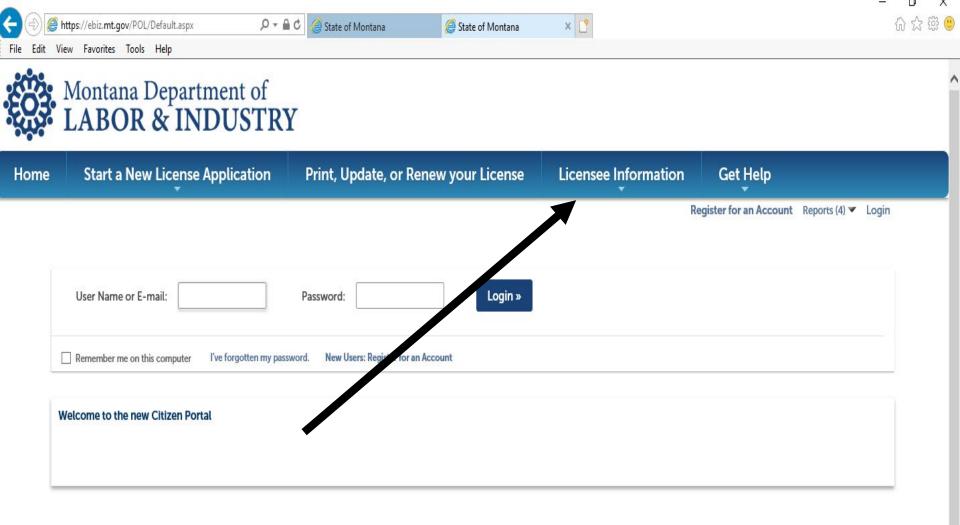
Provider Responsibility

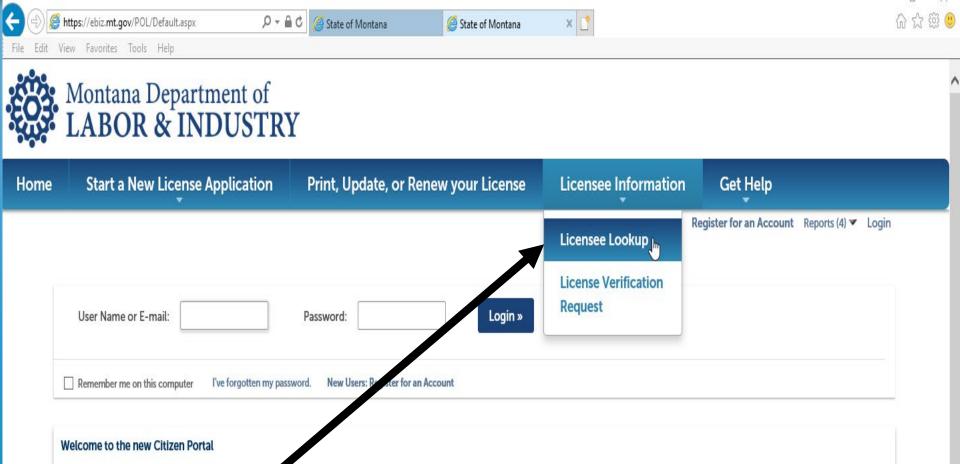
It is the <u>responsibility of the provider</u> to be knowledgeable about sections of the Administrative Rules that relate to their provider type, provider policies and covered services.
 In addition, providers are encouraged to ensure their employees are not listed on the federal exclusion databases.

Special Advisory (https://exclusions.oig.hhs.gov/)

- **DOLI** (http://app.mt.gov/lookup/index.html)
 - LEIE (http://exclusions.oig.hhs.gov/)
 - SAM (https://sam.gov/SAM/)









License Search

Please be advised that any "license" with REG in the naming convention instead of LIC, is not an actual license, but rather an interstate licensure registration that immediately expires when the state of emergency is no longer in effect.

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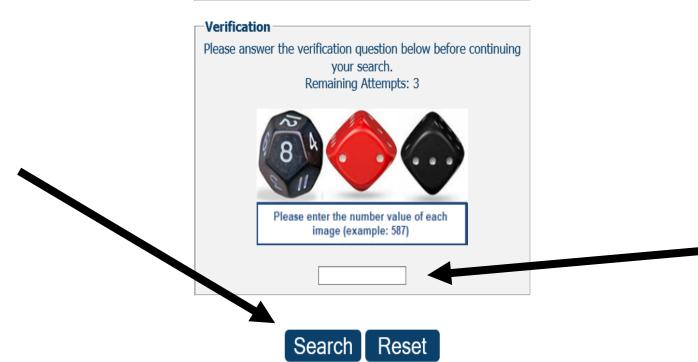
License Holder Information

🤮 State of Montana

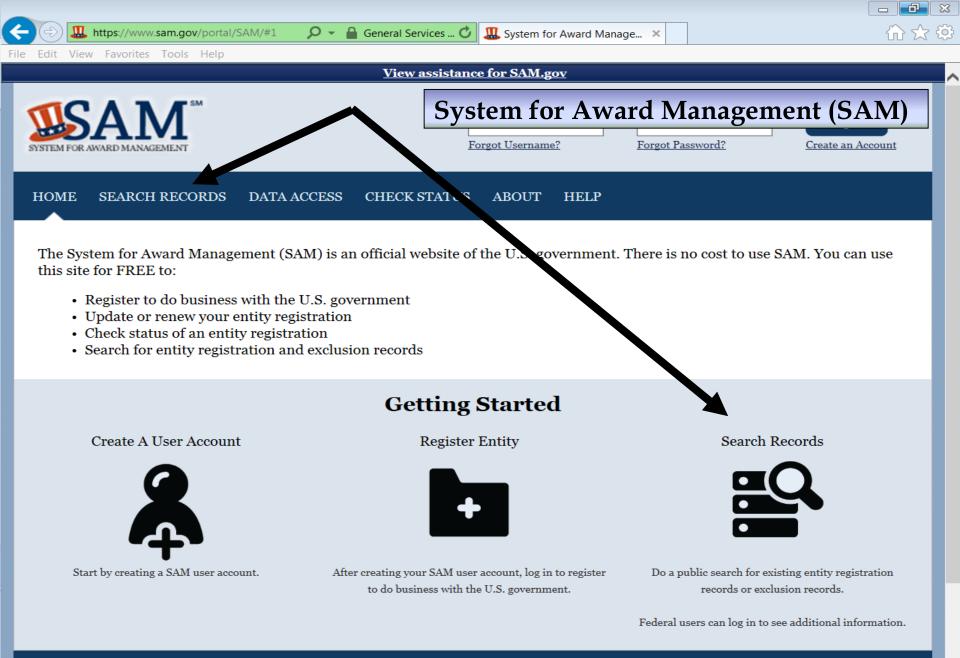
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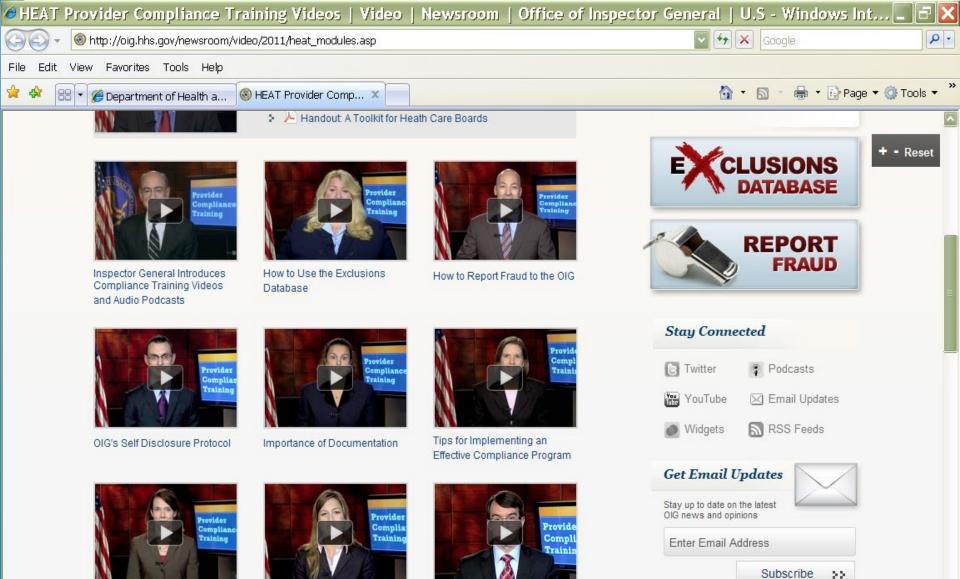
Provider Compliance Training

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

- Understanding Program Exclusions
- Importance of Documentation







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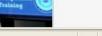


Compliance Program Basics



OIG Guidance





100%



The videos are hosted on YouTube.com and embedded on OIG's web pages. If YouTube.com is blocked on your computer, any content embedded on our site will not be accessible. Please contact your IT department to remove the YouTube restriction and view these videos.

Webcast Modules

On this page you will find 16 modules from the HEAT Provider Compliance Training Webcast.

For more information and downloadble presentation material, visit the Webcast page.

- Welcome Remarks 4:37
- Overview of OIG 9:56
- Navigating the Fraud and Abuse Laws 26:26
- Compliance Program Basics 17:01
- Operating an Effective Compliance Program 15:59
 - Understanding Program Exclusions 10:26
- Navigating the Government 5:10
- Overview of Centers for Medicare and Medicaid Services 34:24
- Importance of Documentation 17:06

- OIG Subpoenas Audits Surveys and Self Disclosure Protocol 17:42
- Health Care Fraud Enforcement Panel 6:08
- Health Care Fraud Enforcement Panel with CMS Deputy Admin 13:43
- Health Care Fraud Enforcement Panel with Special Agent 15:10
- Health Care Fraud Enforcement Panel with Asst. US Attorney 17:08
- Health Care Fraud Enforcement Panel Fraud Control Unit 11:15
- Adjournment 0:59



🕈 = Reset





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

Theran Fries Privacy Officer HIPAA Program Office of Legal Affairs

1-406-444-9503

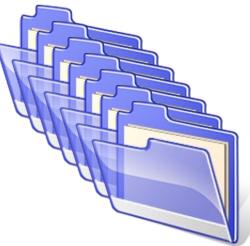
PO Box 202960 Helena, MT 59620-2960



What are we doing?

Our unit is consistently working on several projects:

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



The progression of an reviews...

1. Review idea

Department of Public Health & Human Service

- 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. Overpayment
13. Closure

Top issues within reviews ...

- Incomplete documentation (demonstrating the extent and nature of the service).
- Incomplete or missing orders/prescriptions.

Department of Public Health & Human Service

- 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.





SURS Staff

Jennifer Tucker, CPC, CPIP; SURS Supervisor

- 8 Program Integrity Compliance Specialists
 - Certified Professional Coders
 - Certified Program Integrity Professionals
 - Licensed Practical Nurses

assigned to multiple provider types and specialties





Contact Information

SURS Supervisor

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 - DPHHS Quality Assurance Division SURS Unit
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 jtucker2@mt.gov 406-444-4586









