Massachusetts | Commercial

Commercial Reimbursement Policy

Subject: **Distinct Procedural Service, Modifiers 59 and XE, XP, XS, & XU - Professional**	
Policy Number: **C-09006**	Policy Section: **Coding**
Last Approval Date: **04/06/2023**	Effective Date: **04/06/2023**

Disclaimer

These reimbursement policies serve as a guide to assist you in accurate claims submissions and to outline the basis for reimbursement if the service is covered by a Wellpoint member's benefit plan. The determination that a service, procedure, item, etc. is covered under a member's benefit plan is not a determination that you will be reimbursed. Services must meet authorization and medical necessity guidelines appropriate to the procedure and diagnosis, as well as to the member's state of residence.

You must follow proper billing and submission guidelines. You are required to use industry standard, compliant codes on all claim submissions. Services should be billed with Current Procedure Terminology (CPT) codes, Healthcare Common Procedure Coding System (HCPCS) codes and/or revenue codes. These codes denote the services and/or procedures performed and when billed, must be fully supported in the medical record and/or office notes. Unless otherwise noted within the policy, our reimbursement policies apply to both participating and non-participating professional providers and facilities.

If appropriate coding/billing guidelines or current reimbursement policies are not followed, Wellpoint may:

- Reject or deny the claim.
- Recover and/or recoup claim payment.

These reimbursement policies may be superseded by mandates in provider, state, federal, or Centers for Medicare & Medicaid Services (CMS) contracts and/or requirements. We strive to minimize delays in policy implementation. If there is a delay, we reserve the right to recoup and/or recover claims payment to the effective date, in accordance with the policy. We reserve the right to review and revise these policies when necessary. When there is an update, we will publish the most current policy to the website.

Policy

Wellpoint allows reimbursement for a procedure or service that is distinct or independent from other services performed on the same day by the same provider when billed with Modifier 59, XE, XP, XS, or XU, (collectively known as X{EPSU}), unless provider, state, federal, or contracts and/or requirements indicate otherwise.

Wellpoint follows CMS National Correct Coding Initiative (NCCI) Procedure-to-Procedure (PTP) edit guidelines.

Reimbursable:

- National Correct Coding Initiative (NCCI) Column 1/Column 2 edits; Modifiers 59 or X{EPSU} may be appended to the paid or denied code
- Modifier 59 should only be used if no more descriptive modifier is available, such as, XE, XP, XS, and XU.
- Modifier 59 should not be appended to the same claim line item as X{EPSU}

Wellpoint reserves the right to perform post-payment review of claims submitted with Modifier 59 and X{EPSU}. We may request that providers submit additional documentation, including medical records or other documentation not directly related to the member, to support claims submitted by the provider. If documentation is not provided following the request or notification, or if documentation does not support the services billed for the episode of care, we may:

- Deny the claim
- Recover and/or recoup monies previously paid on the claim

Wellpoint is not liable for interest or penalties when payment is denied or recouped because the provider fails to submit required or requested documentation.

Nonreimbursable:

Wellpoint does not allow reimbursement for Modifiers 59 X{EPSU} in the following circumstances:

- When the denial of a code is supported by CPT parenthetical language that indicates a code is not reportable “with” specific other codes
- When multiple procedures are performed on the same anatomical digit, by the same provider, during the same operative session.
    - Modifiers FA, F1-F9 and TA, T1-T9 should be appended to applicable site-specific services.
- The code (s) listed in the first column when reported with the code(s) listed in the third column of the attached Related Coding table.

Related Coding

Description	Comments
Code pairs that do not allow modifiers 59, X (EPSU) override	Code pairs that do not allow modifiers 59, X (EPSU) override

Policy History

04/06/2023	Review approved: removed code pair language 76512, 76604, 76700-76706, 76770-76776, 76815, 76857 and 76882 when reported with Emergency Room E/M (99281, 99282, 99283, 99284 and 99285) to align with coding guidelines
04/12/2022	Review approved 04/12/2022 and effective 10/01/2022;

	• 95957 will deny when reported with 95700 on the same date of service (reference to 'subsequent dates of service' was removed from this code pair); 96365, 96369, 96372, 96373, 96374, 96379 will deny when reported with 78265, 78830 or 78835 • removed code pair language to align with current configuration: S9355, S9339 and S9349 from A4221, A4222, E0776, E0781 and S9810 code pairs to match configuration; removed "Q3014 reported with any E/M code in POS (11) office" as language is listed in Virtual Visits policy; removed deleted code 99201 from all references; removed 77427 reported when with any other procedure, service, or supply • added code pair language to align with current configuration: Q0091 when reported with 99211-99215; added standalone code list to Related Coding section; updated S5492 with correct code S5497 Maine exemption updated to align with current configuration; allows separate reimbursement of J2001 reported with 64479-64489 and does not allow separate reimbursement of Q0091 reported with 99202-99215
05/26/2021	Review approved 05/26/2021and effective 11/01/2021: Added code pairs to the Related Coding section; L8679 with 63650, L8679 with 63655, L8680 with 63655, L8687 with 63650, and L8687 with 63655
11/02/2020	Added to Related Coding effective 02/01/2021: 43281, 43282, 43283, 43332, 43333 when reported 43644, 43645, 43770, 43771, 43772, 43773, 43774, 43775, 43842, 43843, 43845, 43846, 43847, 43848, 43886, 43887, 43888; Added Q3014 when reported with any E&M codes with Place of Service 11. Added 22585 when reported with 63090-63091 in related coding section, already implemented.
07/13/2020	Review approved 07/13/20 and effective 12/01/2020: Updated Nonreimbursable section "When multiple procedures are performed on the same anatomic digit, (Modifier FA, F1-F9 and TA, T1-T9), by the same provider, during the same operative session"
03/31/2020	Removed California exemptions: • 01996 reported with 62320-62327 • 82570 reported with 80305-80307, 80320-80377, 83992, G0480-G0483, or G0659 • 83986 reported with 80305-80307, 80320-80377, 83992, G0480-G0483, or G0659 • 76942, 77002, 77003, 77012, 77021 reported with 62320, 62322, 62324, and 62326 • 77002 reported with 62321, 62323, 62325, and 62327 • G0480, G0481, G0482, or G0483 reported with G0659 Edits in place effective 2017, policy was not updated
10/31/2019	Review approved: updated policy language for NCCI Procedure to Procedure Column One and Column Two Codes, removed all "and" "or" language from Related Coding section, aligned policy language, Removed Moderate Sedation references and exemptions, removed exemption for Virginia 76942 reported with 20550, 20551, 20552, 20553, 76881 eff 09/01/2019, added exemption for New Hampshire to override 77063 reported with 77065, 77066 effective 09/10/2019

05/15/2019	Review approved: converted to new policy template; removed description section, added definition section, reviewed and updated all exceptions in the Exceptions to Distinct Procedure Modifier Override Section, removed exceptions indicated as Parenthetical Language in the CPT Codebook, Removed “L8680 reported with 63650” not adopted by any market, removed reference to section 3 of the Bundled Services policy
02/18/2019	Added exemption for GA market – 88141-88155, 88164-88167, and 88174-88175 reported with 99381-99397, 99201-99215. ECEC decision 2010 was never implemented
05/04/2018	Update policy language for Exceptions to Distinct Procedure Modifier Override Section
10/18/2017	Biennial review: Added exception 76942 reported with 20550, 20551, 20552 and 20553 to Exceptions to Distinct Procedure Modifier Override Section
07/11/2017	Revised: Add denial of U/S guidance 76942 when reported with trigger point injections 20552 and 20553 is not overridden with modifiers to Exceptions to Distinct Procedure Modifier Override Section
06/06/2017	Revised: Add coding for shoulder and elbow arthroscopic debridement codes not allowed with arthroscopic surgery and no modifier override to Exceptions to Distinct Procedure Modifier Override Section
04/04/2017	Revised: Updated Exceptions to Distinct Procedure Modifier Override Section codes for the drug testing edits
02/07/2017	Revised: Add 2017 spinal injection codes to Exceptions to Distinct Procedure Modifier Override Section
10/04/2016	Revised: Add codes to Exceptions to Distinct Procedure Modifier Override Section
09/06/2016	Revised: Updated and Edited Rule 26, : Add codes to Exceptions to Distinct Procedure Modifier Override Section
08/02/2016	Revised: Add codes to Exceptions to Distinct Procedure Modifier Override Section
05/03/2016	Revised: Add Parenthetical language to Exceptions to Distinct Procedure Modifier Override Section
04/05/2016	Revised: Add codes to Exceptions to Distinct Procedure Modifier Override Section
02/02/2016	Revised: Exceptions to Distinct Procedure Modifier Override Section 58140, 58145, 58146, 58545, 58546 and 58561 reported with 58570, 58571, 58572 or 58573
01/05/2016	Revised: Cross reference Bundled Services Policy add codes to Exceptions to Distinct Procedure Modifier Override Section
12/01/2015	Revised: Add codes to Exceptions to Distinct Procedure Modifier Override Section
10/06/2015	Revised: Add codes to Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
07/07/2015	Revised: Aligned codes with Bundled Services Policy, updated Exceptions to Distinct Procedure Modifier Override Section

06/02/2015	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
04/07/2015	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
01/06/2015	Revised: Updated title to include modifiers X{EPSU} , Add a high-level description X modifiers. Updated Exceptions to Distinct Procedure Modifier Override Section
11/04/2014	Revised: Aligned with changes to Bundled Services Policy, updated codes in the Exceptions to Distinct Procedure Modifier Override Section
09/02/2014	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
07/01/2014	Revised: Updated Description Section and add codes to the Exceptions to Distinct Procedure Modifier Override Section
06/03/2014	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
05/06/2014	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
03/04/2014	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
02/04/2014	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
11/05/2013	Revised: Aligned codes with Bundled Services Policy updated Exceptions to Distinct Procedure Modifier Override Section
08/06/2013	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section, placed codes in numerical order
05/07/2013	Revised: Updated language in Reporting and Documentation Rules and Criteria for Modifier 59 Section, updated Exceptions to Distinct Procedure Modifier Override Section
01/08/2013	Revised: Updated language and codes in Exceptions to Distinct Procedure Modifier Override Section
11/06/2012	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
08/07/2012	Revised: Updated language in Policy and Exceptions to Distinct Procedure Modifier Override Sections
08/02/2011	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
02/01/2011	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
01/14/2011	Revised: Updated language in Reporting and Documentation Rules and Criteria for Modifier 59 Section
10/05/2010	Revised: Add codes Exceptions to Distinct Procedure Modifier Override Section
08/04/2009	Initial approval and effective

References and Research Materials

This policy has been developed through consideration of the following:

- CMS
- American Medical Association (AMA) Current Procedural Terminology (CPT®) Professional Edition 2021
- American Academy of Professional Coders (AAPC) HCPCS Level II 2021
- American Academy of Orthopedic Surgeons
- CMS National Correct Coding Initiative Edits (NCCI)
- Optum EncoderPro 2021

Definitions

Modifier 59	Modifier 59 is used to identify procedures/services, other than E/M services, that are not normally reported together, but are appropriate under the circumstances. Only if no more descriptive modifier is available, and the use of modifier 59 best explains the circumstances, should modifier 59 be used. Modifier 59 should not be appended to an E/M service
Modifier XE	Separate encounter, a service that is distinct because it occurred during a separate encounter
Modifier XP	Separate practitioner, a service that is distinct because it was performed by a different practitioner
Modifier XS	Separate structure, a service that is distinct because it was performed on a separate organ/structure
Modifier XU	Unusual non-overlapping service, the use of a service that is distinct because it does not overlap usual components of the main service
Procedure Unbundling	When two or more procedure codes are used to describe a service when a single, more comprehensive procedure code exists that more accurately describes the complete service performed. Procedure unbundling edits include three components: Incidental, Mutually Exclusive, and Rebundling.

Related Policies and Materials

Bundled Services and Supplies - Professional
Code and Clinical Editing - Professional
Multiple Delivery Services - Professional
Screening Services with Evaluation and Management - Professional

Use of Reimbursement Policy

State and federal law, as well as contract language, including definitions and specific inclusions/exclusions, take precedence over Reimbursement Policy and must be considered first in determining eligibility for coverage. The member's contract benefits in effect on the date that services are rendered must be used. Reimbursement Policy is constantly evolving and we reserve the right to review and update these policies periodically.