

PAR GASTROENTEROLOGISTS USING NON-PAR ANESTHESIOLOGISTS: IN-OFFICE & AMBULATORY SURGERY CENTERS

Policy Number: ADMINISTRATIVE 005.6 T2

Effective Date: May 1, 2017

Table of Contents	Page
INSTRUCTIONS FOR USE	1
APPLICABLE LINES OF BUSINESS/PRODUCTS	1
DEFINITIONS	1
POLICY	1
PROCEDURES AND RESPONSIBILITIES	2
ATTACHMENTS	3
POLICY HISTORY/REVISION INFORMATION	3

Related Policies
None

INSTRUCTIONS FOR USE

The services described in Oxford policies are subject to the terms, conditions and limitations of the member's contract or certificate. Unless otherwise stated, Oxford policies do not apply to Medicare Advantage members. Oxford reserves the right, in its sole discretion, to modify policies as necessary without prior written notice unless otherwise required by Oxford's administrative procedures or applicable state law. The term Oxford includes Oxford Health Plans, LLC and all of its subsidiaries as appropriate for these policies.

Certain policies may not be applicable to Self-Funded members and certain insured products. Refer to the member specific benefit plan document or Certificate of Coverage to determine whether coverage is provided or if there are any exclusions or benefit limitations applicable to any of these policies. If there is a difference between any policy and the member specific benefit plan document or Certificate of Coverage, the member specific benefit plan document or Certificate of Coverage will govern.

APPLICABLE LINES OF BUSINESS/PRODUCTS

This policy applies to Oxford Commercial plan membership.

DEFINITIONS

Ambulatory Surgery Center (ASC): Refers to procedures performed in a free-standing ambulatory surgery center that is not part of a physician's office or hospital.

In Office (IO): Refers to procedures performed in a provider's office or in a surgical or endoscopy suite which is adjacent to or part of the physician's office.

In-Network Exception: A determination made by Oxford to provide coverage for medical services rendered by an out-of-network (non-participating) provider at a level of coverage and cost share equivalent to that which would be applied to the same services if rendered by an in-network (participating).

Non-Participating Provider Consent Form: A required form a member must sign when a participating gastroenterologist seeks to use a non-participating anesthesiologist for non-emergent procedures.

Note: This policy does not apply in emergent situations.

POLICY

Participating gastroenterologists located in New York performing non-emergent procedures with anesthesia in office (IO) or in an Ambulatory Surgery Centers (ASC), must use an Oxford participating anesthesiologist unless:

- The member explicitly agrees pre-service (no more than 90 days before the scheduled date of the procedure) to receive services from a non-participating anesthesiologist by signing the [Non-Participating Provider Consent Form](#) and understands that the use of this provider will be:
 - **Out-of-Network:** For members **with** out-of-network benefits, non-participating anesthesiologist claims will be paid at the out-of-network benefit level. Out-of-network cost shares and deductibles will apply.
 - **Denied:** For members **without** out-of-network benefits, non-participating anesthesiologist claims will be denied as not covered because the member has no coverage for services provided by non-participating providers. Members will therefore be responsible for the entire cost of the service;
- **or**
- An In-Network Exception has been approved.

PROCEDURES AND RESPONSIBILITIES

The following procedures and responsibilities apply in non-emergent situations when the services are provided by a participating gastroenterologist in New York:

- Services performed IO or in an ASC by a participating gastroenterologist with anesthesia, must be performed in conjunction with an anesthesiologist who is participating with the Oxford network; **or**
- If the participating gastroenterologist intends to utilize an anesthesiologist that does not participate in the Oxford network, the provider must discuss referral options with the member prior (no more than 90 days before the scheduled date of the procedure) to making referrals to, or scheduling services on their behalf with, a non-participating anesthesiologist. Following the discussion, the member must indicate their choice to use a participating or non-participating anesthesiologist by marking the appropriate box on the [Non-Participating Provider Consent Form](#). The member must then sign and date the form.
- Non-Participating Provider Consent Forms must be kept on file by a participating gastroenterologist. A separate [Non-Participating Provider Consent Form](#) is required for every service when the participating gastroenterologist wants to refer to or involve a non-participating anesthesiologist in a member's care. The [Non-Participating Provider Consent Form](#) will only be valid for 90 days from the date of member signature.

Oxford may request a copy of the completed [Non-Participating Provider Consent Form](#) from the participating gastroenterologist (who is required to keep the form on file) in order to conduct standard business. When requested, the participating gastroenterologist must provide a copy of the [Non-Participating Provider Consent Form](#) within 15 days of the request. If a copy of the completed [Non-Participating Provider Consent Form](#) is not received within 15 days of the request, the participating gastroenterologist's claim will be denied administratively for failure to comply with the protocol. In these instances, the participating provider is prohibited from balance billing the member.

- Participating gastroenterologists must coordinate the procedure on behalf of the member according to the arrangements agreed upon between the participating gastroenterologist and the member within the [Non-Participating Provider Consent Form](#) including but not limited to supplying a participating anesthesiologist, In-Network Exceptions and/or claims appeals.
- If requesting an In-Network Exception to have a non-participating anesthesiologist covered as if they were participating with the Oxford network, the participating gastroenterologist must make the exception request. The exception request will not be accepted from the non-participating anesthesiologist.
 - The participating gastroenterologist must make the In-Network Exception request no less than 14 days in advance of the scheduled procedure in order to avoid delays in care and alleviate potential complications with the patient's required preparations for the procedure.
 - If the participating gastroenterologist requests an In-Network Exception less than 14 days in advance of the scheduled procedure, the In-Network Exception request will be processed per Oxford's standard guidelines, however the participating gastroenterologist will receive an administrative denial for their claim for failure to follow protocol.
 - The participating gastroenterologist may be asked to provide information regarding their New York State Office Based Surgery Accreditation status, which they should have available when making the In-Network Exception request.
- When a participating gastroenterologist performs non-emergent services IO or in an ASC using a participating anesthesiologist, there will be no additional requirements to fulfill. A Non-Participating Provider Consent Form is not required.

Non-Compliance with this Policy

Providers are required to keep a signed copy of the [Non-Participating Provider Consent Form](#) on file. Oxford may request a copy of the signed [Non-Participating Provider Consent Form](#) at any time, including when responding to a member appeal. Providers are not required to submit this form with their initial claim.

If the participating gastroenterologist cannot provide the signed [Non-Participating Provider Consent Form](#), within 15 days of the request, as proof that they discussed the member's options for selecting a participating or non-participating anesthesiologist in advance of the service, Oxford will administratively deny the participating gastroenterologist claim. Any payment previously made for the gastroenterology service will be subject to recovery. The participating gastroenterologist **cannot** balance bill the member for claims denied for administrative reasons.

ATTACHMENTS

[Non-Participating Provider Consent Form](#) (Chinese)

[Non-Participating Provider Consent Form](#) (English)

[Non-Participating Provider Consent Form](#) (Spanish)

POLICY HISTORY/REVISION INFORMATION

Date	Action/Description
05/01/2017	<ul style="list-style-type: none">Reformatted and reorganized policy; transferred content to new template (no change to administrative guidelines)Archived previous policy version ANESTHESIA 005.5 T2