



State of New Jersey
Department of Human Services
Division of Medical Assistance & Health Services

NEWSLETTER

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TO: Medical Suppliers, Physicians, Advanced Practice Nurses, Clinical Nurse Specialists, Nurse Midwives, Independent Clinics, Federally Qualified Health Centers – **For Action**
Health Maintenance Organizations – **For Information Only**

SUBJECT: **New PPACA Face-To-Face Requirements for Durable Medical Equipment (DME) Services**

EFFECTIVE: Certain DME services provided on or after April 1, 2011

PURPOSE: To inform medical suppliers, as well as physicians, Advanced Practice Nurses (APNs), Clinical Nurse Specialists, independent clinics and Federally Qualified Health Centers (FQHCs) concerning a new Patient Protection and Affordable Care Act (PPACA) requirement regarding “face-to-face” encounters.

BACKGROUND: Section 6407 of the Patient Protection and Affordable Care Act adopted new requirements for NJ FamilyCare/Medicaid with respect to the provision of DME services. Section 6407(d) of PPACA requires that a “face-to-face encounter” between an authorized practitioner and a NJ FamilyCare/Medicaid beneficiary being prescribed DME services be conducted within a certain timeframe; documented by the authorized practitioner; and proof maintained on file by the DME supplier to demonstrate compliance with this PPACA requirement.

At this time, the New Jersey Division of Medical Assistance and Health Services (DMAHS) is limiting the “face-to-face encounter” requirement to certain complex rehabilitative equipment and establishing a timeframe for conducting the applicable encounter.

ACTION: **Effective for certain complex rehabilitative equipment provided on or after April 1, 2011:**

- A “face-to-face encounter” between an authorized practitioner and a NJ FamilyCare/Medicaid beneficiary being prescribed certain complex rehabilitative equipment must occur no more than ninety (90) days prior to the date the equipment is prescribed, including the date of the encounter.
- A “face-to-face encounter” means direct contact between a beneficiary and a practitioner authorized to prescribe DME services. **Tele-health technology is not approved by NJFC/Medicaid as an alternative to a face-to-face encounter.**

- The “face-to-face encounter” is required when prescribing: wheelchairs and accessories; seating systems; specialized bathroom equipment; pressure reduction bed and mattress systems; and augmentative communication devices.
- An authorized practitioner is an individual licensed in the healing arts, who, within the scope of his or her practice under State law and as defined by their specific professional Board, is allowed to prescribe DME.
- An authorized practitioner must provide the medical supplier the date, time and location of the “face-to-face encounter” and his/her signature confirming that the encounter was conducted.
- Medical suppliers are required to maintain proof of a “face-to-face encounter” including the date, time, location and signature of the authorized practitioner. Such documentation may be subject to review by DMAHS or its authorized agent.
- Medical suppliers must also demonstrate that the “face-to-face encounter” was conducted in a timely manner when requesting prior authorization for complex rehabilitative equipment. In that regard, suppliers must attach a copy of the required documentation to the Medical Supplies and Equipment Prior Authorization Request Form (FD-354) and submit this information to the appropriate Medical Assistance Customer Center (MACC). Prior authorization requests received by a MACC without this documentation attached will be returned to the supplier.
- Failure to comply with the “face-to-face encounter” requirement may result in the recoupment of NJ FamilyCare/Medicaid payments for complex rehabilitative equipment.

If you have any questions concerning this Newsletter, please contact Molina Medicaid Solutions (formerly Unisys) Provider Services at 800-776-6334.

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