Practice Management Series, Part 2
IDTF STANDARDS & FALSE CLAIMS ACT ENFORCEMENT

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Agenda

• What is an IDTF
• IDTF Enrollment
• IDTF Supervision
• IDTF performance standards
• Compliance Issues and Fraud Enforcement Trends with IDTFs
• Submitted Questions
What is an IDTF

• Independent Diagnostic Testing Facility
• Independent of consulting physician’s office and hospital
• An IDTF may be a fixed location, a mobile entity, or an individual nonphysician practitioner.
Who Should Enroll as an IDTF

- An entity must determine its “independence” when considering whether or not to enroll as an IDTF.
  - Not owned by radiologists/hospital
  - Not billing for physician services
  - Tests not interpreted on site
IDTF Enrollment

- Application to MAC
- One application per location
- Effective date of enrollment and billing
- Subsequent changes must be reported
IDTF Standards

- Supervision Requirements
- Performance Standards
Supervision

• The direct and ongoing oversight of the quality of the testing performed
• The proper operation and calibration of equipment used to perform tests and
• The qualifications of non-physician IDTF personnel who use the equipment
Supervising Physician

- Licensed and “Proficient”
- Can not supervise more than 3 IDTFs at once
- Must be Board Certified to provide direct supervision in most cases

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Multi-State IDTFs

- A multi-state or mobile IDTF must be licensed in state(s) in which services are performed
- Supervising physicians and technicians must be licensed in state(s) in which services are rendered
Performance Standards

- 16 Performance Standards certified at enrollment
- All listed under 42 CFR 210.33
Interpreting Physician

- IDTF only required to employ medical technicians and do not need to employ an interpreting physician
- Bill for technical component only using the TC modifier.
Order Requirements

- All tests must be ordered by treating physician
- No added procedures based on IDTF protocols without written order from the treating physician
IDTF Arrangement Considerations

- Referrals and Stark Law
- Anti-Markup Rule
- Ownership risks
- CMS prohibitions
  - No sharing practice location with another Medicare entity
  - No leasing to another Medicare entity
  - No sharing equipment with and Medicare entity
PAMA AUC

- Clinical Decision Support
- IDTF is an applicable setting
IDTF Fraud

- False claims act
- Exclusion Statute
Los Angeles 2011 OIG Review

• OIG did a massive audit of local IDTFs
  • 20% not on file with CMS
  • $72 million in improper payments
  • 83 IDTFs had billing privileges terminated
• Recommended strict OIG oversight and visits
MedQuest Fails Supervision

• Three Nashville IDTFs
• Direct supervision for CT with contrast provided by physicians who were not identified on enrollment form and some did not specialize in radiology
• Govt brought $11 million FCA case
OIG 2020 Workplan

• IDTFs always on radar
• COVID-19 Response and Recovery
Review

• Enroll if entity is “Independent”
• Meet all standards of performance
• Ensure appropriate levels of supervision by proficient physicians
• Watch out for illegal schemes and arrangements
• OIG has shown a willingness to pursue IDTFs
Questions?

• Submit additional questions to:
• colton.zody@radadvocate.com
Thank you!

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