



Related MLN Matters Article #: MM5508

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### *Provider Education for Handling Issues Related to Deceased Providers*

#### Key Words

MM5508, CR5508, R1216CP, Deceased, Providers, NPI, HIPAA

#### Provider Types Affected

Those submitting claims on behalf of physicians and providers who died before obtaining a National Provider Identifier (NPI), where such submitted claims that were received by a Medicare Carrier, Part A/B Medicare Administrative Contractor (A/B MAC), and/or Durable Medical Equipment Medicare Administrative Contractor (DME MAC) after May 23, 2007 (**See Important Note below.**)

#### Key Points

**Important Note:** Medicare fee-for-service has instituted a contingency plan for NPI implementation that delays the requirement for the NPI beyond May 23, 2007. For details regarding this delay, please see MLN Matters article MM5595 at <http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM5595.pdf> on the CMS website.

- The effective date of the instruction is May 23, 2007.
- The implementation date is April 30, 2007.
- MLN Matters article MM5508 and related Change Request (CR) 5508 address NPI issues related to deceased providers.
- The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires that the Secretary of the Department of Health and Human Services adopt standards that provide for a standard unique health identifier for each health care provider for use in the healthcare system and to specify the purpose for which the identifiers may be used.
- All entities covered under HIPAA must comply with the requirements of the NPI final rule no later than May 23, 2007. (**See Important Note above.**)
- Among these requirements are the following:
  - Any health care provider who is an entity covered under HIPAA must obtain an NPI.
  - Health care providers who are not covered entities under HIPAA, but meet the definition of health care provider referenced in the NPI final rule, are eligible to obtain NPIs as well.

- Health care providers covered under HIPAA must use NPIs to identify themselves and their subparts (if applicable) on all standard transactions adopted under HIPAA.

#### Individual Provider Who Dies Without an NPI

- Claims for that provider received by a Medicare contractor after May 23, 2007, will be rejected due to the absence of the provider's NPI, if Medicare (the Medicare contractor, the Medicare Online Survey and Certification Reporting System, or the National Supplier Clearinghouse) has not been notified of the provider's death. **At that point, the claim submitter would be expected to contact the Medicare contractor to which the claims were submitted to discuss payment of the claims and report the provider's death. (See Important Note above.)**
- The state in which a provider furnishes care will continue to be responsible for notification of Medicare of the death of a provider following existing procedures. Since some states send such notifications on a quarterly basis, CMS is implementing the following procedures to enable affected claims to be paid more promptly:
  - Medicare will reject an electronic claim received without an NPI after May 23, 2007, in cases where the provider died prior to obtaining an NPI; therefore, the provider's representative will need to submit the claim on paper. (See Important Note above.)
  - A representative of the estate should then contact the claims processing contractor, who will notify the provider that they must submit the claims on paper and that they must annotate the claim to state that the provider is deceased in Item 19.

#### Important Links

The related MLN Matters article can be found at

<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM5508.pdf> on the CMS website.

The official instruction (CR5508) issued regarding this change may be viewed by going to

<http://www.cms.hhs.gov/Transmittals/downloads/R1216CP.pdf> on the CMS website.