



Do you have your NPI? National Provider Identifiers (NPIs) will be required on claims sent on or after May 23, 2007. Every health care provider needs to get an NPI. Learn more about the NPI and how to apply for an NPI by visiting <http://www.cms.gov/Regulations-and-Guidance/HIPAA-Administrative-Simplification/NationalProvIdentStand/index.html> on the CMS website.

MLN Matters Number: MM5426

Related Change Request (CR) #: 5426

Related CR Release Date: December 22, 2006

Effective Date: November 13, 2006

Related CR Transmittal #: R62BP

Implementation Date: April 2, 2007

Private Contracting- Definition of Physician/Practitioner

Note: This article was updated on June 5, 2013, to reflect current Web addresses. All other information remains unchanged.

Provider Types Affected

Registered dietitians or nutrition professionals providing services to Medicare beneficiaries.

Provider Action Needed

This article is based on Change Request (CR) 5426 which updates the *Medicare Benefit Policy Manual* (Publication 100-02, Chapter 15, Section 40.4) to include registered dietitians and nutrition professionals in the list of practitioners who can opt out of Medicare if certain conditions are met, and to provide services through private contracts that would otherwise be covered by Medicare.

Background

Prior to enactment of the Medicare Benefits Improvement and Protection Act of 2000 (BIPA), the Social Security Act (Section 1802(b)(5)(C)) did not include registered dietitians or nutrition professionals among the list of practitioners who may choose to opt out of Medicare.

Disclaimer

This article was prepared as a service to the public and is not intended to grant rights or impose obligations. This article may contain references or links to statutes, regulations, or other policy materials. The information provided is only intended to be a general summary. It is not intended to take the place of either the written law or regulations. We encourage readers to review the specific statutes, regulations and other interpretive materials for a full and accurate statement of their contents.

BIPA (Section 105(d)) amended the definition of practitioner included in the Social Security Act (Section 1842(b)(18)(c)) to include registered dietitians or nutrition professionals in the list of practitioners who can opt out of Medicare if certain conditions are met..

CR5426 amends the *Medicare Benefit Policy Manual* (Publication 100-02, Chapter 15, Section 40.4 (Definition of Physician/Practitioner)) to include registered dietitians and nutrition professionals to be consistent with the Social Security Act (Section 1802(b)(5)(C)). The revised Section 40.4 (Pub. 100-02, Chapter 15) which is attached to CR5426.

Additional Information

The official instruction, CR5426, issued to your carrier or A/B MAC regarding this change may be viewed at <http://www.cms.gov/Regulations-and-Guidance/Guidance/Transmittals/downloads/R62BP.pdf> on the CMS website.

If you have any questions, please contact your Medicare carrier or A/B MAC at their toll-free number, which may be found on the CMS web site at: <http://www.cms.gov/Research-Statistics-Data-and-Systems/Monitoring-Programs/provider-compliance-interactive-map/index.html> on the CMS website.

Flu Shot Reminder

As a respected source of health care information, patients trust their doctors' recommendations. If you have Medicare patients who haven't yet received their flu shot, help protect them by recommending an annual influenza and a one time pneumococcal vaccination. Medicare provides coverage for flu and pneumococcal vaccines and their administration. – And don't forget to immunize yourself and your staff. **Protect yourself, your patients, and your family and friends.** Get Your Flu Shot. Remember - Influenza vaccination is a covered Part B benefit. Note that influenza vaccine is NOT a Part D covered drug. For more information about Medicare's coverage of adult immunizations and educational resources, go to CMS's website: <http://www.cms.gov/outreach-and-education/medicare-learning-network-mln/mlnmattersarticles/downloads/SE0667.pdf> on the CMS website.

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