
Surgery: Billing with Modifiers

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This section includes instructions for correctly using modifiers on claims for surgical services. For additional help, refer to the *Surgery Billing Examples* section of this manual.

Surgical Procedures Require Modifiers

All surgical procedure codes require a modifier. Failure to submit a modifier with a surgical procedure code will result in the claim being returned to the provider for correction.

Primary Surgeon or Podiatrist: Modifier AG

The primary surgeon or podiatrist is required to use modifier AG on the only or highest valued surgical procedure code (HCPCS Z1200 thru Z1212 and CPT® series 10000 thru 69999) being billed for the date of service. (Refer to the *Surgery Billing Examples* section in this manual for an illustrated sample.)

Note: This does not include codes that require split-bill modifiers.

Multiple Primary Surgeons

Two or more surgeons can use modifier AG for the same patient on the same date of service if the procedures are performed independently and in different specialty areas. This does not include surgical teams or surgeons performing a single procedure requiring different skills. An explanation of the clinical situation and operative reports by all surgeons involved must be included with the claim.

Separate Operative Sessions on Same Date of Service

Duplicate billing for surgical services is not reimbursable. Occasionally separate surgical services may be performed during different operative sessions, by the same or a different surgeon, for the same recipient and date of service.

Providers must use modifier AG to obtain full reimbursement for both primary procedures and document in the *Remarks* field (Box 80)/*Additional Claim Information* field (Box 19) of the claim that the procedures were performed at different times of the day.

Increased Procedural Services Modifier 22

Modifier 22 may be billed when the work required to provide a service is substantially greater than typically required, and may be identified by adding modifier 22 to the usual procedure code. Documentation must support the substantial additional work and the reason for the additional work (for example, increased intensity, time, technical difficulty of procedure, and severity of patient's condition where physical and mental effort is required).

Bilateral Procedure: Modifier 50

Providers use modifier 50 when bilateral procedures add significant time or complexity to patient care at a single operative session. To use modifier 50, providers identify the first procedure by its listed procedure code with modifier AG for the primary surgeon. Identify the bilateral procedure on another claim and *Treatment Authorization Request* (TAR) line and add modifier 50 to the procedure code.

For bilateral procedures requiring a separate incision performed at the same operative session, providers should bill the first procedure on the first claim line with the appropriate CPT code followed by modifier AG, which indicates that the procedure is the primary surgery.

Providers should bill the second procedure on the next billing line with the appropriate CPT code followed by modifier 50, which indicates the procedure was bilateral.

For example, to bill for bilateral inguinal hernia surgery in a child under 5 years of age, the provider would enter CPT code 49500 and modifier AG on the first claim line (indicating service is the primary surgery), then enter CPT code 49500 and modifier 50 on the second claim line, indicating that a bilateral procedure was performed.

Multiple Surgical Procedures: Modifier -51

When multiple procedures are performed at the same operative session, providers should identify the major procedure with modifier-AG, and identify the secondary, additional or lesser procedures by adding modifier -51 to the secondary procedure codes (with the exception of special circumstances when providers are instructed in “Billing Multiple Modifiers” on a following page to use modifier -99 to indicate the additional procedures). The procedure code identified with modifier -AG is paid at 100 percent of the Medi-Cal reimbursement rate. The procedure code(s) identified with modifier-51 will generally be paid at 50 percent of the Medi-Cal reimbursement rate.

The following example illustrates the standard reimbursement rule for multiple procedures. Four surgical procedures are shown. When performed during the same operative session and billed with modifier-51, the reimbursement is determined as follows.

Procedure/Modifier	Full-Fee Rate «(in dollars)»	Reimbursement Formula
41150/-AG	973.19	100% of full fee rate
38720/-51	707.37	50% of full fee rate
15120/-51	409.53	50% of full fee rate
31600/-51	201.04	50% of full fee rate

Refer to “Surgeries Reimbursed at 100 Percent Even When Performed as a Multiple Surgery” on a following page for codes exempted from this policy.

Multiple Bilateral Procedures: Modifiers -AG, -50,-51 and -99

Providers use modifiers -AG, -50, -51 and -99 when billing for multiple bilateral procedures. A billing example illustrating how to bill for multiple bilateral procedures performed by the same physician during the same operative session is located in the appropriate Part 2 *Surgery Billing Examples* section.

Strabismus Procedures: Modifier -51 with CPT Code 67335

Modifier -51 must be used with CPT code 67335 to specifically identify the adjustable suture technique in the surgical correction of strabismus regardless of the number of muscles revised. The CPT book also directs providers to use the conventional strabismus procedure codes 67311 and 67312 to indicate the number of muscles involved: 67311 (one muscle) or 67312 (two muscles).

When submitting a claim for the adjustable suture technique in performing strabismus surgery, bill the technique code (67335) with modifier -51, and the appropriate basic code (67311 or 67312) with modifier -AG. Code 67335 billed with modifier -51 is reimbursed at 3.5 surgical units.

The basic code with modifier -AG is reimbursed at the lower of the allowed or the billed amount. The technique procedure code with modifier -51 is allowed at 3.5 surgical units.

“By Report” Billing

The following strabismus CPT procedure codes are billed “By Report.”

CPT Code	Description
67314	Strabismus surgery, recession or resection procedure (patient not previously operated on); one vertical muscle (excluding superior oblique)
67316	Strabismus surgery, recession or resection procedure (patient not previously operated on); two or more vertical muscles (excluding superior oblique)
67320	Transposition procedure (e.g., for paretic extraocular muscle), any extraocular muscle (specify) (List separately in addition to code for primary procedure)
67331	Strabismus surgery on patient with previous eye surgery or injury that did not involve the extraocular muscles (List separately in addition to code for primary procedure)
67334	Strabismus surgery by posterior fixation suture technique, with or without muscle recession (List separately in addition to code for primary procedure)

Note: Providers must attach an operative report to the claim as these claims will suspend for medical review.

Surgical Team Modifier 66

Although the CPT instructions for modifier 66 (surgical team) permit each physician member of a surgical team to report his/her participation separately from the other physician members, for billing Medi-Cal, the services of all physician members of a surgical team, including primary and assistant surgeons, must be billed on a single line of one claim form using the appropriate CPT code with modifier 66.

Exception: Anesthesiologists should submit a separate claim using the appropriate five-digit anesthesia procedure code (00100 thru 01999) and modifier.

Billing Multiple Modifiers

When two or more modifiers are necessary to completely delineate a service, use modifier 99 with the appropriate procedure code and explain the applicable modifiers in the *Remarks* field (Box 80)/*Additional Claim Information* field (Box 19) of the claim. For example, when a major surgical procedure is to be performed requiring the use of modifier 22 and modifier AG, use modifier 99 with an explanation in the *Remarks* field (Box 80)/*Additional Claim Information* field (Box 19) indicating that the procedure required the use of both modifiers 22 and AG.

National Correct Coding Initiative

A number of surgical procedures are subject to National Correct Coding Initiative (NCCI) edits. To process correctly, claims submitted for multiple surgical procedures on the same day may require addition of an NCCI-associated modifier. Information about NCCI-associated modifiers is included in the *Correct Coding Initiative: National* section of this manual.

Third and Subsequent Procedures

Modifier 99 also is used to indicate third and subsequent identical procedures. Modifier 51 is appropriate to indicate a second procedure and third or subsequent different procedures. However, if modifier 51 is used more than once to bill the same procedure code, it will appear to be a duplication. To avoid this problem, for example when billing the same procedure for multiple fingers or toes, bill the procedure on the first claim line with modifier AG, on the second claim line with modifier 51, and on the third and/or subsequent claim lines with modifier 99 and an explanation in the *Remarks* field (Box 80)/*Additional Claim Information* field (Box 19) of the claim (example: Modifier 99 = Modifier AG + Modifier 51).

Hammertoe Operations: CPT Code 28285

Use modifier 99 when billing third and/or subsequent hammertoe operations (CPT code 28285).

“Add-on” Codes

Primary surgeons should not bill add-on codes where the descriptor is “each additional” with modifier 99 when performed on the same day or at the same operative session as another surgery. The add-on procedures in the following list are exempt from the multiple surgery reimbursement reduction when billed with modifier 51.

Note: Multiple assistant surgeon procedures must be billed with modifier 80 for the first procedure and modifier 99 for each additional procedure.

Surgeries Reimbursed at 100 Percent Even When Performed as a Multiple Surgery

When performed in addition to another surgery, the procedures billed with the following codes may be billed by the primary surgeon with modifier 51. These procedures are exempt from the multiple procedure reduction rule outlined in “Multiple Surgical Procedures: Modifier 51” on a previous page.

Surgical Procedure Codes Exempt from Reimbursement Cutback

10036	13133	15152	15772	19082	20700
11045	13153	15156	15774	19084	20701
11046	15003	15157	15777	19086	20702
11047	15005	15201	15787	19126	20703
11201	15101	15221	16036	19282	20704
11720	15111	15241	17003	19284	20705
11721	15116	15261	17004	19286	20930
11732	15121	15272	17312	19288	20931
11922	15131	15274	17314	19294	
13102	15136	15276	17315	19340	
13122	15151	15278	19001	20697	

Surgical Procedure Codes Exempt from Reimbursement Cutback (continued)

20936	22841	31654	33746	36227	38746
20937	22842	32501	33768	36228	38747
20938	22843	32506	33924	36248	38900
20939	22844	32507	34709	36474	43283
20974	22845	32667	34711	36483	43338
20975	22846	32668	34713	36555	43635
20979	22847	32674	34714	36556	44015
20985	22848	33141	34715	36568	44121
21088	22853	33225	34716	36569	44128
21089	22854	33257	34717	36580	44139
22103	22858	33258	34808	36584	44203
22116	22859	33259	34813	36620	44213
22208	22868	33367	35306	36625	44500
22216	22870	33368	35390	36823	44701
22226	26125	33369	35400	36907	44955
22328	26861	33419	35500	36908	47001
22512	26863	33508	35572	36909	47542
22515	27358	33517	35600	37195	47543
22534	27692	33518	35681	37237	47544
22552	29826	33519	35682	37239	47550
22585	31500	33521	35683	37247	48400
22614	31632	33522	35685	37249	49326
22632	31633	33523	35686	37252	49327
22634	31649	33530	35700	37253	49412
22840	31651	33572	36218	38102	

Surgical Procedure Codes Exempt from Reimbursement Cutback (continued)

49435	58300	62148	<<64597>>	67331	96366
50606	58346	62160	64634	67332	96367
50705	58611	62252	64636	67334	96368
50706	59050	62367	64643	67335	96370
51725	59051	62368	64645	67340	96371
51726	59525	63035	64727	69300	96375
51727	60512	63043	64778	69990	96411
51728	61055	63048	64783	81266	96415
51729	61107	63057	64787	92618	96417
51736	61316	63066	64832	92621	<<96547>>
51741	61517	63076	64837	92627	<<96548>>
51784	61611	63078	64859	93352	99151
51785	61641	63082	64872	93662	99152
51792	61642	63086	64874	94729	99153
51797	61651	63091	64901	94781	99157
52442	61781	63103	64902	95873	99467
54240	61782	63308	64913	95874	
54250	61783	63621	65757	95885	
56606	61797	64462	66990	95886	
57465	61799	64484	67225	95887	
58110	61800	64550	67320	96361	

Assistant Surgeons: Modifiers 80 and 99

Assistant surgeons must use modifier 80 as a part of each procedure billed. The major surgical procedure is identified by the use of modifier 80 (assistant surgeon) and multiple surgical procedures identified by the use of modifier 99 (multiple modifiers). Include an explanation in the *Remarks* field (Box 80)/*Additional Claim Information* field (Box 19) of the claim for the modifiers that apply to each procedure. (Refer to the *Surgery Billing Examples* section in this manual for an illustrated sample.)

Note: Surgeries performed in an inpatient setting must be billed by the surgeon on a *CMS-1500* claim.

Assistant at Surgery: Podiatrists

Podiatrists may be reimbursed as an “assistant at surgery” when surgical procedure codes are billed with modifier 80. These services must be performed under the direct supervision of a licensed physician and surgeon (MD or DO).

Physician Assistant: Modifiers 99 = U7 + 80

Modifiers 99 = U7 + 80 are used to bill for a Physician Assistant (PA) who serves as first assistant in surgery under an approved supervising physician. The PA’s services must be billed by the supervising physician and the appropriate surgical procedure code. For billing and reimbursement information for non-physician medical providers, see “Billing and Reimbursement” in the *Non-Physician Medical Practitioners (NMP)* section of this manual.

Gender Override

«Instructions for overriding gender differences for procedures are in the *Gender Affirming Care Services* section in the appropriate Part 2 provider manual.»

Override Medical Justification With Modifier 24, 25 or 57

For information regarding the use of modifier 24, 25 or 57 to override the medical justification requirement, see “Overriding Justification” in the *Evaluation and Management (E&M)* section of this manual.

<<Legend>>

<<Symbols used in the document above are explained in the following table.>>

Symbol	Description
<<	This is a change mark symbol. It is used to indicate where on the page the most recent change begins.
>>	This is a change mark symbol. It is used to indicate where on the page the most recent change ends.