

HCPCS FY2021 Version

Final Addenda

Evaluation and Management Modifiers

HCPCS Evaluation and Management modifiers are designed to allow for fee adjustments based on patient encounter circumstances which generally lead to higher costs in one of the 3 RVU components (work, practice expense, malpractice insurance). The following modifier codes may be added to claim forms and electronic documents to adjust the RVU to be paid for each procedure. Evaluation and Management modifier codes begin with the letter E, a 2nd letter that groups them by category and a two digit number.

These modifier codes are only valid for the Evaluation and Management codes in the HCPCS Level I code set (CPT® codes) which are in the range 99000-99999 – note; not all codes in this range are considered Evaluation and Management codes.

These modifiers only apply to codes that are used for Evaluation and Management.

When listing modifiers on claim forms and in electronic documents, list the modifiers in order of RVU Adjustment value from highest to lowest. RVU adjustment values are NOT cumulative. Medicare/CMS will only apply the first listed modifier. To request consideration of payment adjustment based on multiple modifiers, include a description of the patient encounter along with the claim documenting the circumstances and reasons for the application of multiple modifiers.

Following are Evaluation and Management modifiers that have been approved by the HCPCS Evaluation and Management Modifier Committee as of 3/1/2020 and are grouped by category.

Note to data systems administrators: The modifier length has been increased from 2 characters to 4 characters to accommodate these codes. Ensure that input and data storage systems can accept and store these longer codes.

Category: Presentation/Disrobement Modifiers

The following Encounter modifiers apply to how the patient presents themselves at the encounter with the medical staff. Application of one or more of these modifiers must be attested to by at least 2 staff members.

Modifier	Description	RVU Adj	Approval Date
EP01	Patient presented in an extremely uncoordinated outfit, possibly working from home for an excessive period of time, or whose fashion sense is severely impaired	1.05	11/1/2018
EP02	Patient presented in clothing featuring an excessive amount of brand names and logos	1.07	11/1/2018
EP03	Patient presented in shoes that were inappropriate for the weather or time of year (ex. flip-flops in the winter, snow boots in the summers, white shoes after labor day, etc.)	1.03	11/1/2018
EP04	Patient presented wearing both a belt and suspenders	1.02	1/1/2019
EP05	Patient presented wearing a t-shirt with a political slogan that was offensive to staff	1.10	1/1/2019
EP06	Patient presented wearing jeans with excessive number of holes, or with excessive amount of decoration (ex. sequins, embroidery) in back pockets	1.08	1/1/2019
EP07	Patient refused to disrobe when asked to by medical staff	1.12	9/1/2019
EP08	Patient remained disrobed after being asked to re-robe by medical staff	1.20	9/1/2019
EP09	Patient remained disrobed when discharged from medical facility (ex. said it was a “nice day for nudity”)	1.15	9/1/2019

Category: Distracting/Inappropriate Action Modifiers

The following Encounter modifiers may be applied if the patient exhibits any of the following actions. Code the highest RVU adjustment value with the highest RVU value when filling out the claim form or electronic record.

Modifier	Description	RVU Adj	Approval Date
ED01	Patient lectured provider or medical staff on the condition(s)/diseases patient thought they had; 10 minutes	1.05	10/1/2018
ED02	Patient lectured provider or medical staff on the condition(s)/diseases patient thought they had; 20 minutes	1.10	10/1/2018
ED03	Patient lectured provider or medical staff on the condition(s)/diseases patient thought they had; 30 minutes	1.15	10/1/2018
ED04	Patient lectured provider or medical staff on the condition(s)/diseases s patient thought they had; 45 minutes	1.25	10/1/2018
ED05	Patient lectured provider or medical staff on the condition(s)/diseases patient thought they had; 60 minutes	1.35	10/1/2018
ED06	Patient relayed to provider or medical staff information about patients condition(s)/diseases where information was obtained on internet or from “-in-law”; 10 minutes	1.05	1/1/2019
ED07	Patient relayed to provider or medical staff information about patients condition(s)/diseases where information was obtained on internet or from “-in-law”; 20 minutes	1.10	1/1/2019
ED08	Patient relayed to provider or medical staff information about patients condition(s)/diseases where information was obtained on internet or from “-in-law”; 30 minutes	1.15	1/1/2019
ED09	Patient relayed to provider or medical staff information about patients condition(s)/diseases where information was obtained on internet or from “-in-law”; 45 minutes	1.25	1/1/2019
ED10	Patient relayed to provider or medical staff information about patients condition(s)/diseases where information was obtained on internet or from “-in-law”; 60 minutes	1.35	1/1/2019
ED11	Patient was engaged in social media during more than 10 minutes of the encounter	1.05	1/1/2019
ED12	Patient was engaged in social media during more than 20 minutes of the encounter	1.08	1/1/2019
ED13	Patient was engaged in social media during more than 30 minutes of the encounter	1.15	1/1/2019
ED14	Patient was engaged in social media during more than 45 minutes of the encounter	1.25	1/1/2019
ED15	Patient was engaged in social media during more than 60 minutes of the encounter	1.35	1/1/2019
ED16	Patient refused to cooperate with medical staff until staff connected with them on social media	1.05	7/1/2019
ED17	Patient refused to cooperate with medical staff until staff read patient's latest blog post	1.10	10/1/2018
ED18	Patient insisted on adding radiology or other medical images to their Pinterest account before leaving medical facility	1.20	10/1/2018
ED19	Patient insisted on a “group photo” of patient with treating medical staff for patient's Instagram or Flickr account	1.15	1/1/2019
ED20	Patient insisted on filming encounter for posting on Youtube	1.22	1/1/2019

* Note where time is involved choose the lower amount of time, ex. if patient took 12 minutes of staff time, code as 10 minutes; if patient took 21 minutes of staffs time, code as 20 minutes, and so forth.

Category: Miscellaneous Modifiers

This category includes miscellaneous Patient Encounter Modifiers. Note: if a particular modifier is later expanded into a series of similar modifiers it may be granted its own category which will necessitate a change in the modifier code.

Modifier	Description	RVU Adj	Approval Date
M01	Patient attempted to provide or suggest medical codes to the provider or staff member	1.17	10/1/2018
M02	Patient passed out at the sight of a needle prior to injection	1.14	10/1/2018
M03	Patient passed out following an injection, despite bragging that they could handle it	1.13	10/1/2018
M04	Patient removed own cast or orthotic device during the encounter	1.23	10/1/2018
M05	Patient attempted to stitch up their own wound during the encounter, causing further damage	1.18	10/1/2018
M06	Patient lectured provider or medical staff on how medicine should be practiced or paid for - 30 minutes or less	1.23	1/1/2019
M07	Patient lectured provider or medical staff on how medicine should be practiced or paid for - 31 minutes or more	1.46	1/1/2019

Example RVU calculation with E/M Modifier

To apply the Evaluation and Management modifier RVU adjustment factor to an RVU, first calculate the RVU with the locality based components, then apply the RVU adjustment based on the chosen modifier.

Example: 99202 RVU (2.14), E/M modifier: D01 (1.05) = $2.14 \times 1.05 = 2.25$ (adjusted RVU)

Questions, Comments, Concerns? Contact:

If you have any questions, comments or concerns, please contact Find-A-Code at Phone 801-770-4203 (8am - 5pm Mountain) or visit the Find-A-Code website at <http://www.findacode.com>

Don't believe everything you read and have a great April Fools day!

Visit <https://www.findacode.com/em2021> for more information about the Evaluation and Management changes effective 2021.