

COMMONWEALTH OF KENTUCKY
CABINET FOR HEALTH AND FAMILY SERVICES
DEPARTMENT FOR MEDICAID SERVICES

IN RE: OPTOMETRIC CARE TECHNICAL ADVISORY COMMITTEE
MEETING

November 5, 2020
1:00 P.M.

(All Participants Appeared Via Zoom or Telephonically)

APPEARANCES

Matthew Burchett
CHAIR

James Sawyer
Steve Compton
Gary Upchurch
TAC MEMBER PRESENT

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APPEARANCES
(Continued)

Stephanie Bates
Sharley Hughes
Jessin Joseph
Lee Guice
MEDICAID SERVICES

(Court Reporter's Note) At the request of DMS, all other participants appearing via Zoom or telephonically will not be listed under Appearances?

AGENDA

Call to Order

Attendance/Introductions

Approval of February, 2020 TAC Minutes

- Who will be the Vision Providers be for the two new MCO's on January 1, 2021 for Molina and United Healthcare? Would DMS please provide contacts for the two MCOs so providers can reach out to start contracting?
- Will Wellcare, Aetna, & Anthem still offer an adult glasses add-on benefit in 2021? Any other MCO's plan to offer this benefit in 2021?
 - Frame Update Request (Dr. Upchurch)
- Dr. Upchurch - Questions on how to bill for patients that have Insurance & Presumptive Medicaid.
- In the future if the TAC would like to request additional vision codes be included in telehealth - how would this process work?
- What is Medicaid's policy on Durysta coverage (66030)?
- Dr. Compton would like to discuss issues with payment with Medicare/Medicaid crossovers.
- Discussion on billing 99 codes and 92 vision codes as medical.
- MPPR Portal Inquiry - Has DMS/OATS been in contact/ started discussions with the KY Board of Optometric Examiners to electronically transfer licenses into the MPPR portal so providers do not have to upload their paper form each year. Discussed in 2019 but not sure anything has taken place this year due to the pandemic?

Discuss future 2021 virtual Optometric TAC meeting dates? Day of week/time that works best?

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DR. BURCHETT: We will call the meeting to order. The first order of business on the agenda there was attendance and introductions.

Normally, we go around the room and say hello and let everybody know where everybody is at and working from. We I assume have new people on since we're going to have some new MCOs. Is that true?

MS. BATES: If you want to go around, we can go around. I don't know who is on without going down through the list. Typically, what we have done is just move on and start the meeting.

DR. BURCHETT: Okay. That's fine.

MS. BATES: When people speak, just make sure you introduce yourself.

MS. HUGHES: Yes, please do that. If you have anything to say, just introduce yourself first.

DR. BURCHETT: Sounds good. Let me go ahead, then.

(INTRODUCTIONS)

DR. BURCHETT: Starting down the agenda, I'll ask the other TAC members, do you have any questions on the February TAC minutes; and if

1 not, I will entertain a motion to approve those.

2 DR. COMPTON: I so move, Mr.
3 Chairman.

4 DR. UPCHURCH: Second.

5 DR. BURCHETT: Any other
6 discussion on the minutes? Hearing none, we will
7 have a vote. All those in favor of accepting them.
8 All those opposed. So, we will accept the minutes.

9 Moving on to the meat of the
10 agenda, then, I guess we'll just go item by item like
11 we normally do.

12 The first item is who are we
13 going to have as Vision Providers for the two new
14 MCOs, and do we have any contact people for those so
15 we can reach out to start contracting and
16 credentialing with them? I think some of that was in
17 the email Sharley might have sent earlier but if you
18 have any other information, does anybody have any?
19 That's the question, I guess.

20 MS. BATES: It looks like Angie
21 sent over something to me and Sharley and said that
22 March Vision is going to be both of their
23 subcontractors but I will verify that for sure. That
24 came from somewhere else, so, I like to verify my own
25 information. I don't know if you're familiar with

1 them, though.

2 DR. BURCHETT: I am, yes. Thank
3 you for that.

4 MS. BATES: We'll verify that
5 and send it over to Sharley just to follow up to make
6 sure we button it up.

7 DR. BURCHETT: Okay.

8 MS. HUGHES: And get you some
9 contact information.

10 DR. BURCHETT: Yes. And I
11 assume we're allowed to start contracting with them
12 at this point?

13 MS. BATES: Yes.

14 DR. BURCHETT: Okay, because I
15 don't think we've received anything from any of them
16 personally to do that. So, I didn't know, and it
17 could be because we're already in network with them.
18 I don't know.

19 MS. BATES: Could be but we'll
20 get some contact info. That way you're all good to
21 go.

22 DR. BURCHETT: Okay. Sounds
23 good. Steve, Gary, James, any other questions on
24 that?

25 DR. COMPTON: That explains why

1 I keep getting correspondence from them, from March
2 Vision.

3 DR. BURCHETT: If no other
4 questions, then, we'll move on the next item which
5 was will WellCare, Aetna and Anthem still offer the
6 adult glasses in 2021, and do any of the others plan
7 on it? And I think some of that information was sent
8 as well.

9 MS. BATES: Yes. You should
10 have a side-by-side that has an update for everybody.

11 DR. BURCHETT: Any questions on
12 that, gentlemen?

13 MR. OWEN: This is Stuart from
14 WellCare. If you have any questions of me, I'm here.

15 DR. LEVY: And Matt, we're still
16 representing WellCare, Aetna and Humana. All three
17 will have an adult value-added benefit.

18 MS. O'BRIEN: And this is Jean
19 from Anthem and we will still have our benefit.

20 DR. BURCHETT: Okay.

21 MS. BATES: If you don't mind,
22 I'm going to go ahead and plug open enrollment and
23 the materials, and I'm just saying that because this
24 is part of the materials, but what Sharley sent, any
25 way that you all can get those out to people. We're

1 trying to get things in the hands of members since
2 our communication with members was delayed this year.
3 So, any help with that from you all would be great.

4 DR. BURCHETT: We can certainly
5 do that because I'm sure our membership will want to
6 know those facts as well. There's no problems there.

7 And I think Gary had something
8 on frames he wanted to talk about a little bit real
9 quick.

10 DR. UPCHURCH: Well, all I had
11 was a question to see if there's any chance that we
12 could get, for those of us who use the outside lab on
13 our own, any update on the frame selections.

14 Both Avesis and Anthem, I know
15 on both of those, especially under Avesis, I don't
16 think we've had any update in several years now, or
17 if it has been, it's been in a while. Children are
18 choosing from the same frames every year.

19 DR. LEVY: Dr. Upchurch, it's
20 Dan Levy again. We are in the process of updating
21 our frame formulary. There's been a bit of a delay
22 during COVID and also getting shipment in from China.

23 So, we are in the process with
24 our partner lab, and I will keep you abreast of when
25 that will be rolling out.

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MS. GILBERTSON: Hi, Dr. Upchurch. I just wanted to let you know for Anthem numbers, also you will be seeing a refreshed frame kit; same kind of process I think that Avesis is having and going through getting all this updated, making sure that the frames that we had for a selection opportunity are available for all the members. So, you should be seeing that soon.

DR. UPCHURCH: Good.

DR. BURCHETT: Thank you all. Gary, if you want to keep going. I think the next one is your question as well.

DR. UPCHURCH: I'm just going to throw some questions out there because I really don't know. I've gotten a little bit of an explanation. I listened to something that Dinah sent me the other day from I think one of the legislators and Medicaid where they had a meeting.

We're having some issues with this Presumptive Medicaid in that it seems like anybody who applies for it gets it. And, so, we have a lot of people who are coming in that have Anthem Blue Cross and Blue Shield primary and, then, they have Presumptive Medicaid, then, they have EyeMed.

And at first, I reached out to

1 Medicaid and probably didn't understand exactly the
2 answers that I got, but we know that always in the
3 past, and I assume that it's still that way, the
4 primary insurance if it's anything but Medicaid is
5 always the payer of first resort. Medicaid is always
6 the payer of last resort.

7 And, so, I guess this was a
8 misunderstanding on my part because when they had,
9 for example, say, they come in and they've got a
10 specialist copay under their Anthem Blue Cross and
11 Blue Shield of \$45. I made the assumption which was
12 a wrong assumption that Medicaid would pick up that
13 copay. Evidently, that's not the case. They have to
14 pay the copay.

15 However, we did on the ones
16 that have a deductible with no copay, for example,
17 they've got a \$5,000 deductible but they don't have
18 any copay. When Blue Cross and Blue Shield or
19 Anthem, whatever you want to call it, denied that
20 claim because of the deductible, then, it was flipped
21 over to Medicaid and Medicaid was paying it, okay?
22 So, I'm just trying to get some direction there.

23 And, then, we got into the
24 situation - and I probably need to get my staff
25 person to send those to Stephanie or someone - where

1 we sent in to the primary and the primary paid and,
2 then, what was left over, we sent to Medicaid, but,
3 then, Medicaid paid as a primary even though they had
4 the EOB. So, we got paid primary from both places.
5 We know that there's got to be a refund done.

6 It's just gotten a little bit
7 sticky on my end and I don't really know. And even
8 after I listened to the legislator in the Medicaid
9 meeting the other day, I still didn't know when I got
10 done and that's probably my ignorance, but I figure
11 if I don't understand it, then, there's probably
12 several others that don't, too.

13 MS. BATES: So, I'm going to say
14 a couple of things and, then, I'll let Lee step in,
15 too.

16 So, in Medicaid, we are always
17 the payer of last resort regardless of the
18 eligibility type, right? We're always the payer of
19 last resort.

20 I would like to see those
21 examples of where we overpaid you because the last
22 thing we want is for you to have to deal with a big
23 huge recoupment when you least expect it because you
24 know it's probably coming. And Medicaid is slow, so,
25 it will probably be like after you've forgotten it

1 and, so, I understand that.

2 So, if you will get that over,
3 we'll look at that, but, Lee, do you want to describe
4 a little bit about how presumptive eligibility works
5 including the whole having other insurance and all of
6 that?

7 MS. GUICE: Yes, I'd be happy
8 to. Presumptive eligibility that we have given to
9 everybody - we're allowed to cover so many people
10 these days - was really for folks who don't have
11 insurance. However, a lot of people had insurance or
12 kept insurance and still had presumptive eligibility.

13 It's perfectly fine for you to
14 bill their primary and then bill Medicaid. Medicaid
15 should pay as they would have paid - for presumptive
16 eligibility, they should have paid as they would have
17 paid for a regular Medicaid claim. Any kind of
18 Medicaid eligibility should pay the same.

19 Now, if they were a
20 presumptively eligible and enrolled in an MCO,
21 because outside of the COVID-19 pandemic, almost
22 everyone who did have presumptive eligibility
23 Medicaid was enrolled in an MCO.

24 So, depending on the time
25 period when you saw these patients, and I suppose it

1 could have been they were enrolled in an MCO but
2 probably not, Medicaid doesn't normally pay the extra
3 copay, but certainly the deductible. If it's
4 declined from the insurer, then, you submit the claim
5 and we'll pay whatever Medicaid would have paid, you
6 would pay the difference.

7 So, all of the presumptive
8 eligibility individuals now, over 130,000 that we've
9 added - actually, it's probably way more than that -
10 well over 100,000 individuals that have been added
11 during the pandemic, they should receive all the same
12 benefits that anybody would receive in Medicaid, but,
13 of course, we don't have those extra added benefits
14 that the MCOs have.

15 Did I confuse you even more or
16 give you any good explanation?

17 DR. UPCHURCH: I think I
18 understand in that if they have a primary insurance,
19 we collect the copay, go ahead and bill it to the
20 insurance. Then, if there's anything left over, we
21 can bill it to Medicaid. If it's not over what they
22 would pay, then, they would still pay it, which it
23 will be, so, they wouldn't.

24 But if they just have a
25 deductible with no copay, then, once it's billed and

1 denied, then, we can send it over to Medicaid and
2 Medicaid will pay their allowables.

3 MS. GUICE: Exactly, the
4 allowables. That was the phrase that I was trying to
5 get to.

6 DR. UPCHURCH: This would also
7 work - let me just muddy the water here a little.
8 This would also work for someone who has, let's say,
9 Anthem Blue Cross and Blue Shield. They also have
10 EyeMed and they have Presumptive Medicaid and it's a
11 child, okay?

12 So, they come in. It's a
13 routine visit. So, we don't send it to Anthem Blue
14 Cross and Blue Shield. Everything goes to EyeMed.
15 We have to exhaust EyeMed, and I'm assuming they
16 would have to pay for their copays with EyeMed.

17 Then, after that's done, if
18 they broke that pair of glasses or if they had to
19 have a second pair of glasses which EyeMed would not
20 cover, then, we go to Presumptive Medicaid on that
21 child.

22 MS. GUICE: Yes, sir.

23 DR. UPCHURCH: I think the water
24 is clearing.

25 MS. BATES: I don't know. Don't

1 be quick to say that now, Dr. Upchurch. Medicaid is
2 in the muddy waters.

3 MS. GUICE: Medicaid can be a
4 little bit muddy sometimes.

5 DR. COMPTON: I have one more
6 thing for clarification, too, along these lines. If
7 I understood you correctly a minute ago, there is no
8 adult eyeglass benefit under Presumptive Medicaid.

9 MS. GUICE: In fee-for-service
10 Medicaid, there's no adult eyeglass benefit.

11 DR. COMPTON: When we called for
12 an adult, we were told they had a benefit up to \$150
13 and then we got denied.

14 MS. BATES: So, the
15 presumptively eligible enrollees are in fee-for-
16 service, not a managed care company. And in fee-for-
17 service, which is just regular Medicaid, no MCO,
18 there's not an adult eyeglass benefit.

19 DR. COMPTON: I understand that
20 but there's some confusion with if I say EDS, is that
21 - I call it old Medicaid.

22 MS. BATES: When you call to get
23 an authorization?

24 DR. COMPTON: Because I got the
25 wrong information in.

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MS. BATES: Gotcha.

DR. COMPTON: Thank you.

MS. GUICE: So, I just want to try to find out who it was, who was giving the wrong information so we could do a little training.

DR. COMPTON: His name is Dale. That's all we know.

MS. GUICE: Okay. Thank you.

DR. UPCHURCH: That answered my questions, I think. Thank you very much.

DR. BURCHETT: I guess moving on, then, the next item is we would like to request additional vision codes be included or added for telehealth. What is the process that we would go through to request those codes and coverage for Medicaid?

MS. GUICE: I think that you should do a couple of things. Certainly it would be a good idea to make a recommendation to the MAC. If you would also send an email over to myself with the codes listed so that we can take a look at that and do some review, do a fiscal impact, etcetera.

DR. BURCHETT: Okay.

MS. GUICE: So that when you make the recommendation to the MAC, that we can have

1 some information ready to respond.

2 DR. BURCHETT: Okay.

3 MS. BATES: And I'll tell you,
4 and I did this this morning, that we have obviously
5 recognized that the telehealth benefit has been
6 really good for everybody. And pre-pandemic, we
7 would have been a little apprehensive about being
8 wide open, but what we have found is that it has been
9 really, really good for our members and we appreciate
10 all of that.

11 And, so, while we feel like we
12 had a benefit that was already kind of really open
13 compared to other states before the pandemic, it
14 really was just that providers weren't utilizing
15 telehealth as much and, then, providers were kind of
16 forced into that.

17 So, you have done really well
18 and have just really done well with that. And, so,
19 what we're doing now is looking at all those things
20 that were kind of expanded and all the options that
21 weren't included in our original pre state of
22 emergency regulations and seeing what the requests
23 are that come in and what we want to include in those
24 post state of emergency so that way we have even more
25 access.

1 So, that's why we're asking for
2 that to come in writing so we don't lose track of
3 everything and we know what works and what doesn't.

4 DR. BURCHETT: Right. I think
5 before with regular codes, our Board of Examiners had
6 to approve them for us to use and, then, we brought
7 it to you all to be added. So, I just wanted to make
8 what the situation was. Thank you.

9 The next item would be policy
10 for Durysta coverage or is there one?

11 MS. BATES: I believe Dr. Joseph
12 is going to answer to that.

13 DR. JOSEPH: This is Jessin from
14 Kentucky Medicaid. We can provide coverage. So, I
15 understand that it's currently on the fee schedule
16 under 66030, and I guess I'm coming to the table a
17 little bit late.

18 So, could someone provide a
19 little bit more context as to the coverage behind
20 Durysta? Is it that coverage doesn't exist right now
21 or it's not appropriate to run it through the fee
22 schedule and it needs to be set up through the
23 Physician Administered Drug List because we do have a
24 few options. I just need to make sure that I
25 understand the question a little bit better.

1 DR. COMPTON: I'm the one that
2 put it on here but you're----

3 DR. BURCHETT: No. Go ahead,
4 Steve. I was getting ready to say I think that was
5 yours.

6 DR. COMPTON: It is. Durysta is
7 new. It's a glaucoma medicine that is injected into
8 the anterior chamber of the eye. There's a CPT code
9 and a J code - is that right - a J code that goes
10 along with it.

11 DR. LEVY: That's correct.

12 DR. COMPTON: Of course, it's
13 not a first line. It's not a medicine or a procedure
14 you would do right off the bat but it's also a fairly
15 expensive procedure and it's good for those that are
16 noncompliant or those that are on multiple
17 medications and their tear film is all beat up.

18 I don't know if there's
19 coverage or how you go about since it's new getting
20 it on the formulary.

21 DR. JOSEPH: Okay. I think I
22 understand. We're just trying to figure out the best
23 approach here. I think just from hearing that alone,
24 because it's a specialty product, something that the
25 patient needs to be ready to have it and the provider

1 needs to be comfortable with that patient, I think
2 that it makes the most sense to add this product to
3 our Physician Administered Drug List and, therefore,
4 providers would use J codes to submit claims for the
5 use of the product.

6 I'm not entirely sure how
7 familiar everyone is with that but we can definitely
8 kind of give some guidance in terms of how we bill
9 using J codes, bill using the Physician Administered
10 Drug List itself and we can add the product along
11 with its associated J code because it looks like it
12 wasn't approved until 10/1 of 2020.

13 DR. COMPTON: Right. It's new.

14 DR. JOSEPH: Got it. And it
15 takes some time to get it into our system. We
16 usually try to get it within three months of CMS
17 giving the go-ahead. And, so, I know it's on our
18 next round to review. So, we'll make sure that we do
19 review it and look to add it for our next round.

20 DR. COMPTON: Great. Thank you.

21 DR. BURCHETT: And go ahead,
22 Steve. I think the next one is yours as well.

23 DR. COMPTON: Cindy is sitting
24 here. I don't know how many times it has happened,
25 but Medicare/Medicaid crossovers. We've had a

1 patient that's, I don't know, fairly young, maybe on
2 disability and they've got Medicare and they've got a
3 refractive diagnosis and, then, we bill it for
4 Medicare and they deny it, as they should. Then it
5 crosses over to DMS and then it's denied.

6 And just to make everybody
7 laughed, we called about it - I don't know who you
8 talked to that day - anyway, they told us we should
9 lower our fees.

10 So, I don't know how that makes
11 any sense, but, anyway - Stephanie is laughing. At
12 any rate, that should be paid by Medicaid with a
13 refractive diagnosis. We've had, I don't know, two
14 or three that aren't paid. It's a procedural thing,
15 I'm sure.

16 MS. GUICE: Dr. Compton, if you
17 could send me an email - this is Lee - send me an
18 email with a couple of Medicaid ICMs so that we can
19 look up those claims and do a little research.

20 DR. COMPTON: Okay. We'll try
21 to do that. Do you want it to come from me or do you
22 want it come from my billing manager?

23 MS. GUICE: Whoever has that
24 information.

25 DR. COMPTON: She's going to be

1 a whole lot more prompt and better at that than I am.

2 MS. GUICE: What is that
3 billing manager's name?

4 DR. COMPTON: Cindy Holman.

5 MS. GUICE: Just so I'll
6 recognize it. That's all.

7 DR. COMPTON: Okay. Thank you.

8 DR. BURCHETT: The next item is
9 maybe just a discussion on billing 99 codes and 92
10 vision codes as medical.

11 I know most of the MCOs use all
12 of the vision for the 92 codes and we submit medical
13 things through the 99 codes; but when we have
14 situations with crossover claims and things like
15 that, we find that when we use the 92 codes, that
16 exhausts their vision benefit for the year as well.

17 So, if they have like Medicare
18 with any of the MCOs, then, I think they won't have
19 any vision coverage for the rest of the year if we go
20 ahead and use that.

21 And I know we've tried to talk
22 about the subject numerous times but is there any way
23 that the 92 codes can come back out and be used
24 medically as well and not diminish the benefit of the
25 vision exam for those patients as well?

1 DR. LEVY: Matt, it's Dan again.
2 I'd like to give an update, if I could, for WellCare,
3 Aetna and Humana.

4 DR. BURCHETT: Okay.

5 DR. LEVY: We looked at this for
6 quite some time now; and as you are well aware, we
7 offer multiple benefits within the eye care programs
8 that we administer. That is the routine or wellness
9 exam with materials, as well as all medical and
10 surgical for all taxonomies of eye care specialists
11 in Kentucky.

12 So, what we have done over the
13 past year because this has been an issue on the
14 crossovers on the Medi/Medi, we have changed up our s
15 systems and we are now diagnostic-driven, meaning
16 that we would still want you to use the appropriate
17 and applicable CPT code for services rendered;
18 however, the system is now enhanced and reconfigured
19 to pay out for services based on diagnosis which is
20 new, which means you can use the 9200 codes for
21 routine eye or wellness eye, as well as medical eye
22 which was an issue for us and most in the past when
23 you're configuring multiple benefits and trying to
24 exhaust appropriately, and the 99 codes will still
25 again be used for medical/surgical, but you now have

1 the ability based on diagnosis, and, again, hoping
2 billing people utilize the appropriate identifier and
3 pointer and modifier to bill this correctly or lay it
4 out correctly. We have enhanced our systems to be
5 able to do so so we can have provider ease and have a
6 cleaner claim adjudication.

7 DR. BURCHETT: That sounds
8 great. Let me just clarify so I can make sure I
9 understand this.

10 So, a diabetic patient comes in
11 and we're doing a diabetic eye exam. We bill 9200
12 appropriately for the medical for the diabetic eye
13 exam. That doesn't exhaust their vision benefit.

14 So, if they come in later for
15 their vision exam, we still bill the 92 with the
16 myopia or whatever the vision code is. Okay.

17 DR. LEVY; That is correct. And
18 we're ahead of it because we've implemented it
19 already. We just really have been testing it, right?
20 So, eventually, we will have an education on that and
21 a provider communication, but we've launched this
22 already in Kentucky and we wanted to make sure that
23 it worked before we have a grande communication on
24 it.

25 And we hope and the reason for

1 this is not only for provider ease but also payer
2 ease because the less we have to deny, the less work
3 there is. And it is not an easy task, and I know
4 many, many organizations that offer multiple benefits
5 tend to have the same challenges, but we put our
6 energies into this this past year and hoping that
7 this is really going to rectify a lot of the provider
8 denial, claim denial I should say.

9 DR. BURCHETT: Okay. So, if I
10 bill it that way this afternoon, it won't get denied,
11 right?

12 DR. LEVY: I love that, Matt,
13 and I appreciate that.

14 DR. BURCHETT: I'm just joking.

15 DR. LEVY: No. It really
16 should. I mean, I have full confidence. My team has
17 been testing this for some time. So, I would like to
18 hear how it does work, but, yes, it should work. So,
19 feel free to do that this afternoon.

20 DR. BURCHETT: Thank you, Dan.
21 So, I guess I would ask Anthem if they have any
22 updates or anything or they still kind of status quo
23 on that issue?

24 DR. DAVIS: Dr. Burchett, we're
25 still status quo on that issue at EyeQuest. We

1 recognize the 92 codes as medical codes, though.
2 That should not be a problem anyway.

3 DR. BURCHETT: Right, but if
4 we're----

5 DR. DAVIS: Like, the example
6 you presented a moment ago probably is not a really
7 good example, meaning you're not going to bring a
8 patient in today who is a diabetic, an annual
9 diabetic exam, let's say, asymptomatic, whatever,
10 9204, 92014, whatever. They're in there for their
11 annual exam.

12 Your practice isn't going to
13 bring them back a month later for another 92014 for a
14 comprehensive exam again, I don't think, because I
15 couldn't figure out what you would do differently on
16 the first exam versus the subsequent exam.

17 DR. BURCHETT: Well, it depends.
18 If they come in for their diabetic exam and they're
19 having all kinds of trouble because their sugar is
20 out of control, then, maybe later on in the year,
21 we're bringing them back once it's under control to
22 check vision and things like that.

23 DR. DAVIS: Right, and that
24 should never be a problem anyway. Exactly.

25 DR. BURCHETT: Okay.

1 DR. LEVY: But a followup, I
2 would think, John, would be a 99 code, wouldn't it,
3 Matt? You saw the patient on the primary time. You
4 know they're diabetic. They're having retinopathy
5 and some challenges. You see them back. There's a
6 shift in vision. I would assume you would have used
7 the appropriate E&M code for that visit.

8 DR. BURCHETT: Right. Right.

9 DR. LEVY: Okay. I think that's
10 what John is alluding to and I agree with him.

11 DR. BURCHETT: Oh, yeah. No, I
12 do, too. And maybe I should have made my example
13 clearer with you, Dan. I'm just saying when
14 everything is stable, then, they come back because
15 vision has fluctuated.

16 DR. DAVIS: Exactly, and those
17 are common. They present to you with blurred vision
18 and, then, instead of a minus three, you see, oh,
19 you're a minus one. I know that's not going to stay
20 there forever.

21 So, then, you say, look, you've
22 got to give this thirty days. Get your sugar squared
23 away, whatever, then come on back in.

24 And, then, we would hope you
25 would want to bill a 99 code actually for that, maybe

1 92012 because of the situation you've presented which
2 it's a difficult problem to handle because when we
3 designate these 92 codes, we try to designate them as
4 their "wellness" exam. We appreciate the 99's on the
5 follow-ups, but, yeah, we still pay them anyway.
6 We've changed any of those frequency issues with
7 those.

8 DR. BURCHETT: Okay. Sounds
9 good. I appreciate that, gentlemen. Any other
10 questions on that, TAC members?

11 DR. UPCHURCH: On those
12 particular diabetics that we're talking about,
13 because we're going to have to do multiple
14 refractions, those refractions can be billed more
15 than once, correct?

16 DR. DAVIS: You have to because
17 you're not going to - right. That's really one of
18 the reasons they're coming back. I think our
19 automatic frequency is three and the three sixty-five
20 just as a random number and, then, after that, you
21 know, those claims can always be reconsidered if
22 someone is doing more than that, but that has not
23 been a problem at all, the refractions, so you know.
24 I haven't seen that.

25 We analyze that a lot, those

1 denials because we look for erroneous denials
2 everywhere, in Kentucky in particular, and the
3 refractioning hasn't been a problem because I think
4 that three number is working out pretty well as sort
5 of a, you know, again, a little bit arbitrary but
6 reasonable maybe for patients as opposed to one
7 really which was problematic, I think. We've changed
8 that a long time ago.

9 DR. LEVY: And I don't recollect
10 the LCD in Kentucky but I think ours is unlimited,
11 but we do look at a 92015 quite a bit to make sure
12 that it's being applied appropriately for care.

13 DR. DAVIS: Real quick. This is
14 John Davis again. The Durysta situation, those
15 intracameral injections, that's within the scope of
16 optometry in Kentucky right now?

17 DR. COMPTON: Yes. We've
18 already done one.

19 DR. LEVY: One?

20 DR. COMPTON: Well, it came out
21 in October.

22 DR. LEVY: Because it's
23 interesting. I see it on the vision fee schedule but
24 I don't see it on the physician Kentucky fee schedule
25 where I would think ophthalmology would be hit and

1 miss a lot greater and harder than optometry. So,
2 I'm interested.

3 And, again, the gentleman, Dr.
4 Joseph, that provided some of the insight on this,
5 this is a high-level, new technology to be used when
6 other services and care have been exhausted to no
7 avail, no clinical outcome is how we will be looking
8 at this on a clinical protocol and guideline. And,
9 again, I speak for Avesis, Guardian, WellCare, Aetna
10 and Humana.

11 DR. DAVIS: No doubt, that's
12 going to be the same story with Anthem and EyeQuest.
13 This is definitely not a first-line drug. The data
14 shows a lot of complications potentially with this
15 one. By the way, I see the 66030. I think it's been
16 assigned a J code now, though.

17 DR. LEVY: It has, John.

18 MS. BATES: Just so you all
19 know, I believe Dr. Joseph said he would go back and
20 look, but we have Policy that will look at that, too,
21 and, then, we'll definitely communicate out to our
22 contracted MCOs with direction from the State.

23 DR. DAVIS: Thank you.

24 DR. BURCHETT: I guess moving
25 forward, then, the last item on the list today, I

1 guess, has to do with getting the transfer of license
2 renewals maybe quicker than having the provider do
3 that themselves and I hadn't heard any updates on
4 that. I know we talked about it a few times last
5 year, but this point, is there anything that's----

6 MS. HUGHES: I did get an
7 update, Dr. Burchett. Deputy Commissioner Cecil
8 asked our Program Integrity folks and they said that
9 they have not reached out yet, that it would probably
10 be after the first of the year, and they were asking
11 who would be a good contact. I don't know. Would
12 that be Dinah Bevington?

13 DR. BURCHETT: For our Board of
14 Examiners?

15 MS. HUGHES: Yes.

16 DR. BURCHETT: I think that
17 would be their Executive Director Carson.

18 MS. BEVINGTON: It is. It's
19 Carson Kerr.

20 MS. HUGHES: Do you have a phone
21 number or an email address?

22 MS. BEVINGTON: I do. It's just
23 carson.kerr@ky.gov.

24 MS. HUGHES: All right. I'll
25 get that information to our Program Integrity folks

1 so that they can reach out to him.

2 MS. BATES: That sounds scary.
3 She means Provider Enrollment. It's just that
4 Provider Enrollment is under Program Integrity.

5 MS. HUGHES: I'm sorry. And I
6 think I originally said Provider something and I
7 changed it. So, yes.

8 DR. BURCHETT: Thanks for the
9 update. We'll see if we can't get them talking and
10 maybe have some movement there this coming year.
11 That would be great.

12 Any of the TAC members have any
13 other questions or concerns at this point? I don't
14 think we do but maybe somebody has had something come
15 up since last I talked with you all, or are you all
16 in pretty good shape right now? Good.

17 I do have one quick question.
18 It's more of a billing question for Dr. Levy if you
19 wouldn't mind answering it for me or maybe trying to
20 answer it.

21 My billing staff brought me
22 this this morning and that's why, since I had you
23 here, I thought I might ask. With Avesis, I know
24 it's not general practice to do OCT and photos the
25 same day, but one of my billing staff seems to think

1 that she had talked to somebody calling in about a
2 claim and they told us that we could do that if there
3 were different diagnoses.

4 DR. LEVY: No.

5 DR. BURCHETT: Okay. That's
6 fine.

7 DR. LEVY: And if she has the
8 person who she spoke to, please share that name
9 because that's an education opportunity.

10 DR. BURCHETT: Right. Sure. I
11 think it was the situation of a nerve fiber OCT for
12 glaucoma and a photo for macular degeneration kind of
13 thing, but that's fine. It was just a clarification.

14 DR. LEVY: Thanks.

15 DR. BURCHETT: Thank you, Dan.
16 With that, it looks like 2021, we'll need to consider
17 some dates, days of the week. Does Thursday still
18 work best for the TAC members or would you prefer to
19 switch to a different day?

20 DR. UPCHURCH: Thursday is good
21 with me.

22 DR. COMPTON: Good with me.

23 DR. BURCHETT: Okay. Time of
24 the day still good or would you rather do it 6:30 in
25 the morning? The time of day is fine with me. I'm

1 just messing with you guys.

2 DR. DAVIS: Just an associated
3 note, I'm really glad that you decided to have a
4 virtual TAC meeting and, then, maybe on the go
5 forward these virtual ones because I think these
6 meetings are always meaningful to us.

7 From the MCO side of the table,
8 it's good to hear from you all. So, I think having
9 these virtuals is really going to be great if you
10 keep going with it. I don't know what the plan is
11 but I know you mentioned it here on the agenda.

12 DR. BURCHETT: Right.

13 DR. DAVIS: But thanks for doing
14 this. We've been kind of missing them actually.

15 DR. BURCHETT: We were trying to
16 wait it out to see if we could go in person and
17 finally we just decided it was time to talk about
18 some things. Everybody else is doing virtual
19 meetings. Why not us, too, right?

20 DR. COMPTON: Maybe some sort of
21 hybrid going forward. I think in-person is important
22 occasionally.

23 DR. BURCHETT: For some things,
24 I don't disagree with you, Steve, and maybe that's
25 what we talk about and see what we can work out for

1 maybe every other one be virtual or a hybrid where
2 some of us can be there and others could come in
3 virtually if they want to. I'm open to any of those,
4 to be honest.

5 MS. HUGHES: I think the good
6 thing for now is knowing that we're scheduling them
7 as a Zoom or a hybrid, they're not a special meeting.
8 So, you are not held to what's just on the agenda.
9 The other TACs have been excited that they weren't
10 stuck with just what was listed on the agenda.

11 I can't remember right off the
12 top of my head because it has been a long time since
13 you all met. Were you all meeting every other month
14 or quarterly?

15 DR. BURCHETT: It seemed like it
16 was every other month, but it's not been long enough
17 that I can remember, to be honest, Sharley.

18 MS. BATES: Quarterly.

19 MS. HUGHES: I'm just trying to
20 get an idea of the time frame. I'm trying to figure
21 out which dates these would be for 2021. It looks
22 like maybe you were doing them like the middle month
23 of the quarter, like February, May, August and
24 November. So, the first Thursday afternoon of that
25 month?

1 DR. BURCHETT: At this point,
2 that is completely fine with me if it's fine with the
3 rest of the TAC. And if that changes, can we get
4 back to you if we have conflicts?

5 MS. HUGHES: Sure.

6 DR. BURCHETT: Let's
7 tentatively, then, set it for the same time, first
8 Thursday of those months. And in discussing it
9 outside of here on the time frame for the other docs
10 if that doesn't work, I'll get back to you, Sharley.

11 MS. HUGHES: Okay.

12 DR. COMPTON: We mentioned Dr.
13 Munson at the beginning. I don't know that she is on
14 the TAC anymore.

15 DR. BURCHETT: No. She has
16 dropped off the TAC actually.

17 MS. HUGHES: Okay. Then, that
18 could be my fault in maybe having changed my email
19 address. Has she been replaced on the TAC?

20 DR. BURCHETT: We are currently
21 looking.

22 MS. HUGHES: Okay. You all just
23 let me know whenever she is. I'll send you an email
24 out after the meeting with the exact dates; and if
25 there's conflicts, you can let me know.

1

DR. BURCHETT: Sounds good.

2

MEETING ADJOURNED