

**Amended April 17, 2014**

**EMPIRE PLAN MIXED SERVICES PROTOCOL  
Medical v. Behavioral Health Clarifications**

Services, treatment, supplies and equipment that qualify as covered services under the applicable Member Contract and designated as Medical on this Exhibit shall be the financial responsibility of MEDICAL CARRIER or HOSPITAL CARRIER and services, treatment, supplies and equipment that qualify as Covered Services under this Agreement and designated as mental health/substance abuse care on this Exhibit shall be the financial responsibility of the Behavioral Health Carrier. Where the term psychiatric diagnosis is used in this document it means the mental health and substance abuse diagnosis listed in the Benefit Rules Document.

<b>Medical vs. Behavioral Health</b>	<b>Explanation</b>	<b>Financial Responsibility</b>
1. When a Member is admitted for treatment of a medical diagnosis and there is a concomitant psychiatric diagnosis, the medical care rendered is the responsibility of the Hospital Carrier	Patient is admitted to a medical unit. This is a medical benefit.	Hospital Carrier
2. When a Member is admitted for treatment of a psychiatric diagnosis and there is a concomitant medical problem, the psychiatric care rendered is the financial responsibility of Behavioral Health Carrier. ➤ If a member receives psychiatric treatment while on a medical unit, this is the responsibility Behavioral Health, Carrier ➤ If the Member is medically cleared and transferred to a psychiatric unit, Behavioral Health Carrier shall assume financial responsibility upon transfer to the psychiatric unit. This benefit needs to be pre-certified. ➤ If the Member is transferred to a medical unit at the recommendation of a non-psychiatrist, the Hospital Carrier is responsible ➤ If medical care and or medical tests continues when the Member is on a psychiatric unit, the medical portion of the claim, including tests ordered by a non-psychiatrist shall be the responsibility of the Hospital Carrier	Patient is admitted to a psychiatric unit. This is a Behavioral Health Carrier benefit, covered after pre-certification by the Behavioral Health Carrier  Pt receives psychiatric consults on a medical unit. This is a Behavioral Health Carrier benefit.  Routine medical procedures covered under the per diem rate are Behavioral Health Carrier's responsibilities. Medical tests on a psychiatric unit outside of routine procedures covered under the Behavioral Health Carrier facility contract are the responsibility of the Hospital Carrier Example: MRI ordered to rule out organic cause of psychosis.  Claims must be itemized to reflect psychiatric and medical charges	Behavioral Health Carrier  Behavioral Health Carrier  Behavioral Health or Hospital Carrier
3. Lab and routine medical tests ordered by Behavioral Health Carrier participating provider with a psychiatric diagnosis are the responsibility of the Medical Carrier  ➤ Labs and routine medical tests ordered by a medical provider even those with a psychiatric diagnosis are the responsibility of the Medical Carrier	A psychiatrist orders labs for a pt on Lithium    A PCP orders a urine drug screen to rule out Substance abuse	Medical or Hospital Carrier if lab services at OP Hospital and EE is physically present    Medical or Hospital Carrier if lab services at OP Hospital and EE is physically present

Medical vs. Behavioral Health	Explanation	Financial Responsibility
<p>4. When a Member receives uncomplicated inpatient detoxification in free standing substance abuse facility Behavioral Health Carrier is financially responsible.</p> <p>When the seriousness of the enrollee’s medical condition, as determined by a non-psychiatric, requires treatment on a medical unit other than the designated detoxification unit, the expense shall be considered a medical expense and shall not be the financial responsibility of the Behavioral Health Carrier.</p>	<p>Patient admitted to a free standing substance abuse facility. Behavioral Health Carrier is financially responsible</p> <p>Patient admitted to a medical detoxification unit in an acute care facility, either on a detox unit or medical unit, Behavioral Health Carrier performed the utilization review, but the or Hospital Carrier is financially responsible.</p> <p>Patient is admitted to a medical unit other than a designated detoxification unit (i.e. Hospital that does not have a detox unit). This is a medical benefit. Behavioral Health Carrier will complete the Utilization review of these service and work with the medical carrier to ensure appropriate claims payment</p>	<p>Behavioral Health Carrier</p> <p>Hospital Carrier</p> <p>Hospital Carrier</p>
<p>5. When a Member is admitted to a medical unit for a medical complaint, but the medical evaluation does not lead to a medical diagnosis and a psychiatric diagnosis is then assigned to the case, at the point when the patient is medically cleared and transferred to a psychiatric unit and the primary care giver is a psychiatrist the care rendered shall be the financial responsibility of the Behavioral Health Carrier.</p> <p><i>Subject to the Behavioral Health Carrier’s review of medical necessity, and preauthorization</i></p>	<p>The patient is admitted to a medical unit by a non-psychiatrist. Evaluation notes a psychiatric diagnosis is the cause of admission. This is the responsibility of the Hospital Carrier</p> <p>The patient is transferred from a medical primary care giver to a psychiatric primary care giver and transferred to a psychiatric unit under the care of a psychiatrist. Behavioral Health Carrier is responsible for payment.</p>	<p>Behavioral Health Carrier</p>
<p>6. A member is referred or presents at an emergency room and obtains services which are not followed by a hospitalization.</p>	<p>Behavioral Health Carrier will be responsible for all claims with a behavioral health diagnosis.</p>	<p>Behavioral Health Carrier</p>
<p>7. All ambulance transfers between psychiatric units and from medical units to psychiatric units shall be the responsibility of the Behavioral Health, Carrier</p> <p>Behavioral Health Carrier is not financially responsible for ambulance transfers from psychiatric to medical units.</p> <p><i>Behavioral Health Carrier is responsible for emergency ambulance transportation to emergency rooms for members with psychiatric diagnosis. If the member requires transportation to a psychiatric unit this is the cost of the Behavioral Health Carrier.</i></p>	<p>Behavioral Health Carrier is responsible for ambulance transfers between psychiatric units if authorized by the Behavioral Health, Medical or Hospital Carrier</p> <p>Ambulance transfers from the community which results in psychiatric admission will be paid by the Behavioral Health Carrier.</p> <p>Behavioral Health Carrier is responsible for ambulance transfers from a medical unit to a psychiatric unit if authorized by the Behavioral Health Carrier.</p> <p>Behavioral Health Carrier is responsible for ER to psychiatric transfers to the nearest Behavioral Health Carrier authorized facility</p>	<p>Behavioral Health Carrier</p> <p>Behavioral Health Carrier</p> <p>Behavioral Health Carrier</p> <p>Behavioral Health Carrier</p>

Medical vs. Behavioral Health	Explanation	Financial Responsibility
	<p>Behavioral Health Carrier is not responsible for ambulance transfers from a psychiatric unit to a medical unit.</p> <p>Behavioral Health Carrier is responsible for the cost of transportation to the ER when a psychiatric diagnosis is submitted.</p>	<p>Medical or Hospital Carrier if ambulance is hospital owned and operated</p> <p>Behavioral Health Carrier</p>
<p>8. When a Member undergoes psychological or neurological testing (e.g., one of several diagnostic procedures used to determine organic brain disease or deficit), such testing shall be the financial responsibility of Medical or Behavioral Health carrier depending on the licensure of the provider performing the test.</p>	<p>Neurological Testing for a medical or behavioral health diagnosis performed by an M.D. who is not a Psychiatrist shall be paid for by Medical carrier.</p> <p>Psychological testing if pre-certified by the Behavioral Health Carrier and as part of the patient's psychiatric evaluation will be paid for by the Behavioral Health Carrier.</p> <p>Neurological Testing performed by a Behavioral Health provider shall be paid for by the Behavioral Health Carrier. Precertification is recommend</p>	<p>Medical Carrier</p> <p>Behavioral Health Carrier</p> <p>Behavioral Health Carrier</p>
<p>9. When a Member undergoes treatment that includes biofeedback and such treatment: has been demonstrated to be effective in the treatment of conditions that are primarily medical in nature, the Behavioral Health Carriers shall not be clinically or financially responsible. If treatment is for a DSM-IV diagnosis and is provided by a provider who meets the Behavioral Health Carrier's minimum licensure requirements, it will be covered. Peer Advisor preauthorization is recommended</p>	<p>Treatment of conditions that are medical in nature are not reviewed or paid for by the Behavioral Health Carrier.</p> <p>If the treatment is for a DSM-IV diagnosis and authorized by the Behavioral Health Carrier it will be covered.</p>	<p>Medical Carrier</p> <p>Behavioral Health Carrier</p>
<p>10. Members receiving inpatient or outpatient ECT by an authorized provider at an authorized facility shall have their psychiatric treatment paid for by the Behavioral Health Carrier.</p>	<p>If the member receives inpatient or outpatient ECT the Behavioral Health Carrier is responsible for the psychiatric charges.</p> <p>The charges for the facility, treatment, anesthesia and drugs will be paid for by the Behavioral Health Carrier</p> <p>Independent anesthesiology bill related to ECT</p>	<p>Behavioral Health Carrier</p> <p>Medical Carrier</p>
<p>11. When the above guidelines are insufficient, the following additional general principles shall be used to determine claim responsibility:</p> <p>(a) What is the primary cause for hospitalization? Which condition could only be treated in a hospital setting?</p> <p>(b) What does the medical record list as a primary diagnosis for this</p>	<p>(a) Is the patient's primary diagnosis a psychiatric one and could it only be treated in an inpatient psychiatric setting?</p> <p>(b) Does the medical record list the primary diagnosis as</p>	

Medical vs. Behavioral Health	Explanation	Financial Responsibility
<p>admission?</p> <p>(c) Is the attending physician of record a psychiatrist or a Primary Care Physician/medical consultant?</p> <p>(d) Has a member been admitted to a psychiatric unit or a medical/surgical unit?</p> <p>(e) What condition is causing a member to remain in the hospital and who is treating this problem?</p>	<p>a DSM-V diagnosis defined in Attachment I?</p> <p>(c) Is the attending physician a psychiatrist? This is a Behavioral Health Carrier benefit. Is the attending physician a medical doctor? This is not a Behavioral Health Carrier benefit.</p> <p>(d) Patient is receiving care in a psychiatric unit. This is a Behavioral Health Carrier benefit. Patient is receiving care in a medical/surgical unit. This is not a Behavioral Health Carrier benefit</p> <p>(e) Is the diagnosis, which required continued hospitalization, a DSM-V diagnosis as defined in Attachment I, and is the patient treated by a psychiatrist?</p>	
<p>12. In the event that application of these general principles is insufficient in establishing differentiation between what is a medical versus a psychiatric claim, the Behavioral Health Carrier's Medical Director and the MEDICAL CARRIER OR HOSPITAL CARRIER Medical Director shall collaborate to arrive at a final determination.</p>		

By signing below, I, as an authorized signatory of the plan, represent that the aforementioned mixed services protocol are approved and will be incorporated into the plan documents and the summary plan description made available to beneficiaries on or before the effective date of services performed by the Behavioral Health Carrier.

\_\_\_\_\_  
*Client Signature: Approval*

\_\_\_\_\_  
*Print Name & Title*

\_\_\_\_\_  
*Date*