



Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid
www.mass.gov/masshealth

MassHealth
All Provider Bulletin 376
September 2023

TO: All Providers Participating in MassHealth

FROM: Mike Levine, Assistant Secretary for MassHealth

A handwritten signature in black ink that reads "Mike Levine".

RE: Updates to the Implementation of Ordering, Referring, and Prescribing Requirements

Delayed Start Dates for Enforcing Ordering, Referring, and Prescribing Requirements for Certain Provider Types

[All Provider Bulletin \(APB\) 361](#) announced the start dates for enforcing the ordering, referring, and prescribing (ORP) requirements. With the exception of the information in this bulletin, all information in APB 361 remains in effect. As described in APB 361 and [APB 371](#), PCC and primary care ACO referrals continue to be suspended. Therefore, claims that would normally require PCC or primary care ACO referrals are not yet impacted by ORP requirements.

Note that due to the 60-day grace period for claims processed by the Pharmacy Online Processing System (POPS) outlined in [APB 286](#), such claims will not be denied for not meeting the ORP active enrollment requirement until November 1, 2023.

Due to necessary system updates, the start dates for enforcing the ORP requirements for the following provider types have been delayed.

- Community behavioral health centers
- Psychologists
- Licensed independent clinical social workers
- Continuous skilled nursing

For these provider types, claims for services that require ORP with dates of service on or after November 15, 2023, will be denied if they do not meet the following ORP requirements.

- The National Provider Identifier (NPI) of the ORP provider must be included on the claim.
- The ORP provider must be an authorized ORP provider type (see list on page 2 of [APB 286](#)).

For these provider types, impacted claims for dates of service on or after January 15, 2024, will be denied if they do not meet the requirement that the ORP provider be actively enrolled with MassHealth.

These provider types should review informational messages related to these requirements in order to avoid ORP-related denials when the enforcement is in place.

Processes Related to Unenrolled ORP Providers

Under state law (M.G.L. Ch. 112), certain provider types are required, as a condition of state licensure, to apply to enroll with MassHealth as either billing providers or as non-billing providers for the purposes of ordering, referring, and prescribing services to MassHealth members. Failure to complete a MassHealth revalidation process may prevent such providers from renewing their license to practice at a future date. See page 2 of APB 286 for the list of authorized ORP provider types.

The aforementioned state law requirement applies to all providers who are authorized ORP provider types, including, but not limited to, such providers who are employed only at a non-group-practice MassHealth-enrolled entity which bills MassHealth for their services (hereinafter, “entity-only providers”), such as a physician who is employed only as staff of a MassHealth-enrolled hospital or community health center. Entity-only providers are required to apply to enroll in MassHealth as a nonbilling provider.

To avoid denials related to unenrolled ORP providers, billing providers should take the following actions.

- Billing providers should confirm that the ORP provider is actively enrolled with MassHealth by checking the POSC before providing the service.
- To use the Provider Search Function, you must be logged into the POSC. The provider search option is in the left navigation list.
- Results will return “PROVIDER NAME,” “ADDRESS,” “NPI,” and “ACTIVE Y,” or “No active MassHealth providers found.”
- Please note that a response of “ACTIVE Y” does not definitively confirm that the provider is eligible to be an ORP provider. For example, facilities and entities (e.g., hospitals, health centers, group practices) are not authorized ORP providers. Also, individual providers could be in a provider type that is not authorized to order, refer, or prescribe. Additionally, a MassHealth provider’s enrollment status is subject to change due to reasons including, but not limited to, retirement, death, withdrawal from the MassHealth program, and expiration or revocation of license. Some situations, including, but not limited to, the expiration or revocation of a provider’s license, may lead to a provider being retroactively removed from the MassHealth program.
- Billing providers should record the name, address, and NPI of any ORP provider. This will help to confirm an ORP provider when using the POSC.
- If the ORP provider is not actively enrolled with MassHealth, the billing provider is encouraged to reach out to the ORP provider to confirm that the ORP provider is licensed and does not anticipate termination or suspension of their license for reasons including, but not limited to, retirement or disciplinary action. If the ORP provider’s license is terminated or suspended, the ORP provider will not be eligible to enroll with MassHealth, and the billing provider should work with the member to find an ORP provider who may be eligible to enroll in MassHealth. If the ORP provider is licensed and does not anticipate license termination or suspension, the billing provider should encourage them to apply to enroll

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with MassHealth and remind them of the state law requiring them to apply to enroll with MassHealth as a condition of licensure.

- If the ORP provider will not enroll or needs assistance with applying to MassHealth, billing providers should contact their customer service center with the name and contact information of the ORP provider.

MassHealth will perform outreach to the unenrolled ORP providers in an effort to get them enrolled. MassHealth will also send letters to unenrolled ORP providers who appear on claims and will notify the relevant licensure board.

Processes Related to Orders/Referrals from Hospital-based Interns and Residents

Hospitals should note that when hospital-based interns and residents are referring or ordering services subsequent to a hospital stay, the interns/residents should provide to treating providers the attending provider's NPI on such referrals/orders until the interns and residents are actively enrolled with MassHealth as ORP providers. This will allow the treating providers to include the attending provider's NPI on their professional claims as the ORP provider in order for their claims to be payable.

Clarifying Instructions for Entering the ORP Provider Information on the Claim

Please see the "How To" document on populating the ordering and referring provider information when submitting claims posted on the ORP webpage under "Resources."

MassHealth Website

This bulletin is available on the [MassHealth Provider Bulletins](#) web page and on the [ORP](#) web page.

[Sign up](#) to receive email alerts when MassHealth issues new bulletins and transmittal letters.

Questions

Long-Term Services and Supports

Phone: (844) 368-5184 (toll-free)
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Portal: [MassHealthLTSS.com](https://masshealthtss.com)
Mail: MassHealth LTSS, PO Box 159108, Boston, MA 02215
Fax: (888) 832-3006

All Other Provider Types

Phone: (800) 841-2900, TDD/TTY: 711
Email: provider@masshealthquestions.com
Fax: (617) 988-8974