



Related MLN Matters Article #: SE0416

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Referral of Patients for X-rays by Chiropractors

Key Words

SE0416, X-ray, Chiropractor, Referral, Doctor of Medicine, Osteopathy, Diagnostic, Chiropractic, Exception, SE0416

Provider Types Affected

Chiropractic Providers

Key Points

- Chiropractors are no longer required to obtain X-rays prior to initiating treatment of a Medicare beneficiary.
- If an X-ray is ordered in the course of treating a Medicare beneficiary, the provider who takes and/or interprets the X-ray for the chiropractor may not be reimbursed.
- Any X-rays used in the treatment of a Medicare beneficiary must be ordered by a physician who is a doctor of medicine or osteopathy, even if the laws of the chiropractor's state permit the chiropractor to order X-rays.
- Not having a physician order the X-ray may result in lack of reimbursement.
- The specific regulatory language from the regulation (42 CFR 410.32(a)) states as follows:
 - All diagnostic X-ray tests, diagnostic laboratory tests, and other diagnostic tests must be ordered by the physician who is treating the beneficiary, that is, the physician who furnishes a consultation or treats a beneficiary for a specific medical problem and who uses the results in the management of the beneficiary's specific medical problem.
 - Tests not ordered by the physician who is treating the beneficiary are not reasonable and necessary.

Note: The only exception to this "treating physician" rule is the plain X-ray. Medicare does allow a physician other than the one actually treating the beneficiary for the disorder of the spine (such as the radiologist or beneficiary's primary care physician) to order an X-ray to be used by a chiropractor for patient treatment.

- In the regulation 42 CFR 410.32 (a)(1), this exception is mentioned as follows:
 - A physician may order an X-ray to be used by a chiropractor to demonstrate the subluxation of the spine that is the basis for a beneficiary to receive manual manipulation treatments even though the physician does not treat the beneficiary.
- To ensure that all providers are reimbursed for X-rays used in patient care, the chiropractor should refer the beneficiary to a radiologist, or other physician, who would then order the X-ray.
- Documentation for the X-ray should be maintained by the ordering physician, in the beneficiary's medical records.
- Documentation might consist of a written referral from the chiropractor that includes:
 - The X-ray test requested;
 - A summary of the patient's complaints including symptoms and location of pain, and other relevant findings;
 - A summary of their findings on physical examination;
 - A diagnosis and level of spine involvement; and
 - The name and address of a primary care physician, if any, to whom a copy of the report may be sent as a courtesy (this must be authorized by the beneficiary). This provider may not be indicated as the ordering provider for the x-ray(s) on the submitted claim, unless there is an actual written order for the test from him/her.

Important Links

The related MLN Matters article can be found at

<http://www.cms.hhs.gov/MLNMattersArticles/downloads/SE0416.pdf> on the CMS web site.