



Medicaid Advisory Letter (MAL) No. 665

DATE: September 28, 2022
TO: Eligible Medicaid Providers
Chief Executive Officers, Managed Care Entities
Other Interested Parties
FROM: Maureen M. Corcoran, Medicaid Director
SUBJECT: Clarification on the Use of CPT Code 99188, Application of Fluoride Varnish by a Non-Dentist

On January 1, 2021, the Ohio Department of Medicaid (ODM) adopted the use of CPT procedure code 99188 to report the application of fluoride varnish by non-dental practitioners. The code description is "Application of topical fluoride varnish by a physician or other qualified health care professional."

In 2013, the American Medical Association (AMA) established a definition of "qualified healthcare professional (QHP)." A key component of that definition involves the reporting of healthcare services on claims:

A "physician or other qualified health care professional" is an individual who is qualified by education, training, licensure/regulation (when applicable) and facility privileging (when applicable) who performs a professional service within his/her scope of practice *and independently reports that professional service.* [emphasis added]

This definition aligns with the definition of "independent practitioner" set forth in rule 5160-4-02 of the Ohio Administrative Code (OAC). Only independent practitioners can be reported on a claim as the rendering provider. Non-independent practitioners (i.e., practitioners who carry out their duties only under supervision) are not currently enrolled in Medicaid and therefore cannot be reported on a claim as the rendering provider.

Non-independent practitioners, however, frequently do perform important routine healthcare services, including the application of fluoride varnish. The supervising (independent) practitioner assumes responsibility for these services and is reported on the claims as the rendering provider, in accordance with paragraph (B) of OAC rule 5160-4-02.

ODM will therefore make payment for a covered application of fluoride varnish (CPT 99188) that is performed by a non-independent practitioner if the supervising practitioner is reported on the claim as the responsible rendering provider.

Additional Information

Information about ODM services may be accessed through the main webpage at <http://www.medicaid.ohio.gov>.

The Medicaid managed care entities should be contacted for information concerning their specific claim submission requirements.

Questions

Questions pertaining to this letter may be directed to the Ohio Department of Medicaid.

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