Sterilization

What is sterilization? [Refer to WAC 182-531-1550(1)]

Sterilization is any medical procedure, treatment, or operation for the purpose of rendering a client permanently incapable of reproducing. This includes vasectomies and tubal ligations.

Note: The agency does **not** pay for hysterectomies performed solely for the purpose of sterilization.

What are the agency's payment requirements for sterilizations? [Refer to WAC 182-531-1550(2)]

The agency covers sterilization when all of the following apply:

- The client has **voluntarily** given informed consent;
- The client is at least 18 years of age at the time consent is signed;
- The client is a mentally competent individual; and
- At least 30 days, but not more than 180 days, have passed between the date the client gave informed consent and the date of the sterilization.

Note: The agency pays providers for sterilizations for managed care clients 18 through 20 years of age under the fee-for-service system. All other managed care clients must obtain their sterilization services from their managed care provider.

The agency pays providers (such as, hospitals, anesthesiologists, surgeons, and other attending providers) for a sterilization procedure only when the completed federally approved Sterilization Consent Form, HCA 13-364, is attached to the claim.

The agency does not accept any other forms attached to the claim. The agency pays after the procedure is completed.

The agency pays providers for epidural anesthesia in excess of the six-hour limit for deliveries if sterilization procedures are performed in conjunction with, or immediately following, a delivery. The agency determines total billable units by:

- Adding the time for the sterilization procedure to the time for the delivery; and
- Determining the total billable units by adding together the delivery base anesthesia units (BAUs), the delivery time, and the sterilization time.

Do not bill the BAUs for the sterilization procedure separately.

Additional requirements for sterilization of mentally incompetent or institutionalized clients

Providers must meet the following additional consent requirements before the agency will pay the provider for the sterilization of a mentally incompetent or institutionalized client. The agency requires both of the following to be attached to the claim form:

- Court orders that include the following:
 - ✓ A statement that the client is to be sterilized; and
 - ✓ The name of the client's legal guardian, who will be giving consent for the sterilization.
- Sterilization Consent Form, HCA 13-364, signed by the client's legal guardian.

When does the agency waive the 30-day waiting period? [WAC 182-531-1550(3) and (4)]

The agency does not require the 30-day waiting period, but does require at least a 72 hour waiting period, for sterilization in the following circumstances:

- At the time of premature delivery, the client gave consent at least 30 days before the *expected* date of delivery. The expected date of delivery must be documented on the consent form.
- For emergency abdominal surgery, the nature of the emergency must be described on the consent form.

The agency waives the 30-day consent waiting period for sterilization when the client requests that sterilization be performed at the time of delivery, **and** completes a Sterilization Consent Form, HCA 13-364. One of the following circumstances must apply:

- The client became eligible for Medical Assistance during the last month of pregnancy (CMS-1500 Claim Form field 19: "NOT ELIGIBLE 30 DAYS BEFORE DELIVERY"); or
- The client did not obtain medical care until the last month of pregnancy (CMS-1500 Claim Form field 19: "NO MEDICAL CARE 30 DAYS BEFORE DELIVERY"); or
- The client was a substance abuser during pregnancy, but is not using alcohol or illegal drugs at the time of delivery. (CMS-1500 Claim Form field 19: "NO SUBSTANCE ABUSE AT TIME OF DELIVERY.")

The provider must note on the CMS-1500 Claim Form in field 19 or on the backup documentation, which of the above waiver condition(s) has been met. Required language is shown in parenthesis above. Providers who bill electronically must indicate this information in the *Comments* field.

When does the agency *not* accept a signed Sterilization Consent form? [Refer to WAC 182-531-1550(5) and (6)]

The agency does not accept informed consent obtained when the client is in any of the following conditions:

- In labor or childbirth;
- Seeking to obtain or obtaining an abortion; or
- Under the influence of alcohol or other substances that affect the client's state of awareness.

Why do I need an agency-approved Sterilization Consent form?

Federal regulations prohibit payment for sterilization procedures until a federally approved and accurately completed Sterilization Consent Form, HCA 13-364, is received. To comply with this requirement, surgeons, anesthesiologists, and assistant surgeons as well as the facility in which the surgery is being performed must obtain a copy of a completed Sterilization Consent Form, HCA 13-364, to attach to their claim.

Providers must use Sterilization Consent Form, HCA 13-364, in order for the agency to pay your claim. The agency does not accept any other form.

(To **download** HCA forms, visit: http://www.hca.wa.gov/medicaid/forms/Pages/index.aspx and scroll down to form number 13-364.)

The agency will deny a claim for a procedure received without the Sterilization Consent Form, HCA 13-364. The agency will deny a claim with an incomplete or improperly completed Sterilization Consent Form. Submit the claim and completed Sterilization Consent Form, HCA 13-364, to the agency:

Health Care Authority PO Box 45530 Olympia WA 98504-5530

HCA encourages electronic billing even if the claim requires backup. If you are submitting your sterilization claim electronically, be sure to include a copy of the consent form, HCA 13-364, as appropriate:

- **DDE claims.** Please attach an electronic image of the consent form with the claim. If you attach an electronic image of the backup, there is no need to mail the paper form.
- **837P claims.** Be sure to indicate in the claim notes field that a consent form is being attached to the claim. Then fax the consent form with the appropriate cover sheet indicating the TCN.

Who completes the Sterilization Consent form?

- Sections I, II, and III of the Sterilization Consent Form are completed by the client, interpreter (if needed), and the physician/clinic representative more than 30 days, but less than 180 days, prior to date of sterilization. If less than 30 days, refer to page F.2: "When does the agency waive the 30 day waiting period?" and/or section IV of the Sterilization Consent Form.
- The bottom right portion (section IV) of the Sterilization Consent Form is completed shortly before, on, or after the surgery date by the physician who performed the surgery.
- If sections I, II, and III of the initial Sterilization Consent Form are completed by one physician or group, and a different physician or group performed the surgery:
 - ✓ The physician performing the surgery completes another Sterilization Consent Form filling in section IV; and
 - ✓ The client signs and dates lines (7) and (8) of Section I. The client's date of signature can be the date of surgery or after. It does not have to be the date of the procedure.

Submit both Sterilization Consent Forms with your claim.

Frequently Asked Questions on billing sterilizations

1. If I provide sterilization services to Family Planning Only clients along with a secondary surgical intervention, such as lysis of adhesions, will I be paid?

The scope of coverage for Family Planning Only clients is limited to contraceptive intervention only. The agency does not pay for any other medical services unless they are medically necessary in order for the client to safely, effectively and successfully use or continue to use their chosen birth control method.

Only claims submitted with diagnosis codes in the V25 series (excluding V25.3) will be processed for possible payment. All other diagnosis codes are noncovered and will not be paid.

Note: Remember to submit all sterilization claims with the **completed**, federally approved Sterilization Consent Form.

2. If I provide sterilization services to a Medicaid, full scope of care client along with a secondary surgical intervention, such as lysis of adhesions or Cesarean Section delivery, how do I bill?

CNP clients have full scope of care and are eligible for more than contraceptive intervention only. Submit the claim with a completed, federally approved Sterilization Consent Form for payment.

If the provider does not have the consent form or it wasn't completed properly or the client was sterilized prior to the 30 days waiting period (client doesn't meet the criteria for the agency to waive the 30 day waiting period) then the sterilization line on the claim will be denied and the other line items on the claim will be processed for possible payment.

How to complete the Sterilization Consent form

- All information on the Sterilization Consent Form, <u>HCA 13-364</u>, must be legible.
- All blanks on the Sterilization Consent Form, HCA 13-364, must be completed *except* race, ethnicity, and interpreter's statement (unless needed).
- The agency does not accept "stamped" or electronic signatures.

The following numbers correspond to those listed on the Sterilization Consent Form, HCA 13-364:

Section I: Consent to Sterilization				
Item	Instructions			
Physician or Clinic:	Must be name of physician, ARNP, or clinic that gave client required information regarding sterilization. This may be different than performing physician if another physician takes over. Examples: Clinic – ABC Clinic. Physician – Either doctor's name, or doctor on call at ABC Clinic.			
2. Specify type of operation:	Indicate type of sterilization procedure. Examples: Bilateral tubal ligation or vasectomy.			
3. Month/Day/Year:	Must be client's birth date.			
4. Individual to be sterilized:	Must be client's first and last name. Must be same name as Items #7, #12, and #18 on Sterilization Consent Form, HCA 13-364.			
5. Physician:	Can be group of physician or ARNP names, clinic names, or physician or ARNP on call at the clinic. This doesn't have to be the same name signed on Item # 22.			
6. Specify type of operation:	Indicate type of sterilization procedure. Examples: Bilateral tubal ligation or vasectomy.			
7. Signature:	Client signature. Must be client's first and last name. Must be same name as Items #4, #12, and #18 on Sterilization Consent Form, HCA 13-364. Must be signed in ink.			

Section I: Consent to Sterilization					
Item	Instructions				
8. Month/Day/Year:	Date of consent. Must be date that client was initially counseled regarding sterilization.				
	Must be more than 30 days, but less than 180 days, prior to date of sterilization (Item # 19). Note : This is true even of shorter months such as February.				
	The first day of the 30 day wait period begins the day after the client signs and dates the consent form, line #8.				
	Example: If the consent form was signed on 2/2/2005, the client has met the 30-day wait period on 3/5/2005.				
	If less than 30 days, refer to "When does the agency waive the 30 day waiting period?" and section IV of Sterilization Consent Form, HCA 13-364.				
Section II: Interpreter's Statement					
Item	Instructions				
9. Language:	Must specify language into which sterilization information statement has been translated.				
10. Interpreter:	Must be interpreter's name. Must be interpreter's original signature in ink.				
11. Date:	Must be date of interpreter's statement.				
Section III:	Statement of Person Obtaining Consent				
Item	Instructions				
12. Name of individual:	Must be client's first and last name. Must be same name as Items #4, #7, and #18 on Sterilization Consent Form.				
13. Specify type of operation:	Indicate type of sterilization procedure. Examples: Bilateral tubal ligation or vasectomy.				
14. Signature of person obtaining consent:	Must be first and last name signed in ink.				
15. Date:	Date consent was obtained.				
16. Facility:	Must be full name of clinic or physician obtaining consent. Initials are acceptable.				
17. Address:	Must be physical address of physician's clinic or office obtaining consent.				

Section IV: Physician's Statement					
Item	Instructions				
18. Name of individual	Must be client's first and last name.				
to be sterilized:	Must be same name as Items #4, #7, and #12 on Sterilization Consent				
	Form, HCA 13-364.				
19. Date of sterilization:	Must be more than 30 days, but less than 180 days, from client's				
	signed consent date listed in Item #8.				
	If less than 30 days, refer to "When does the agency waive the 30 day				
	waiting period?" and section IV of the Sterilization Consent Form,				
	HCA 13-364.				
20. Specify type of	Indicate type of sterilization procedure. Examples: Bilateral tubal				
operation:	ligation or vasectomy.				
21. Expected date of	When premature delivery box is checked, this date must be <i>expected</i>				
delivery:	date of delivery. Do not use actual date of delivery.				
22. Physician:	Physician's or ARNP's signature. Must be physician or ARNP who				
	actually performed sterilization procedure. Must be signed in ink.				
	Name must be the same name as on the claim submitted for payment.				
23. Date:	Date of physician's or ARNP's signature. Must be completed either				
	shortly before, on, or after the sterilization procedure.				
24. Physician's printed	Please print physician's or ARNP's name signed on Item #22.				
name					

How to complete the Sterilization Consent form for a client age 18-20

- 1. Use Sterilization Consent Form, <u>HCA 13-364</u>.
- 2. Cross out "age 21" in the following three places on the form and write in "18":
 - a. Section I: Consent to Sterilization: "I am at least 21..."
 - b. Section III: Statement of Person Obtaining Consent: "To the best of my knowledge... is at least 21..."
 - c. Section IV: Physician's Statement: "To the best of my knowledge... is at least 21..."



SAMPLE STERILIZATION CONSENT FORM

SECTION I: CONSENT TO STERILIZATION	SECTION III: STATEMENT OF PERSON OBTAINING CONSENT			
have asked for and received information about sterilization from	Before (12) Jane Doe signed the consent form, Name of individual			
Dr. Tim Lu	explained to him/her the nature of the sterilization operation,			
When I first asked for the information, I was told that the decision to be sterilized is completely up to me. I was told that I could decide not to be terilized. If I decide not to be sterilized, my decision will not affect my right o future care or treatment. I will not lose any help or benefits from programs receiving Federal funds, such as Aid to Families with Dependent	(13) tubal ligation the fact that it is intended to be Specify type of operation a final and irreversible procedure; and the discomforts, risks, and benefits associated with it. I counseled the individual to be sterilized that alternative methods of birth			
pecome eligible.	control are available which are temporary. I explained that sterilization is different because it is permanent. I informed the individual to be sterilized that his/her consent can be			
eversible. I have decided that I do not want to become pregnant, bear shildren, or father children.	withdrawn at any time and that he/she will not lose any health services or any benefits provided by Federal funds. To the best of my knowledge and belief, the individual to be sterilized is at			
was told about those temporary methods of birth control that are available and could be provided to me which will allow me to bear or father a child in he future. I have rejected these alternatives and chosen to be sterilized. I	least 21 years old and appears mentally competent. He/she knowingly and voluntarily requested to be sterilized and appears to understand the nature and consequences of the procedure.			
	(14)			
penefits associated with the operation have been explained to me. All my	(16) US Clinic Facility			
wasting have been assumed to my artisfaction	(17) PO Box 123, Anywhere, WA 98000			
understand that the operation will not be done until at least thirty (30) days	Address			
after I sign this form. I understand that I can change my mind at any time	SECTION IV: PHYSICIAN'S STATEMENT			
and that my decision at any time not to be sterilized will not result in the	Shortly before I performed a sterilization operation upon			
Federally-funded programs.	(18) Jane Doe Name of individual to be sterilized (19) October 1, 2001 Date of sterilization operation			
am at least 21 years of age and was born on (3) August 1, 1971 Month Day Year	I explained to him/her the nature of the sterilization operation			
(4) Jane Doe hereby consent of my own	(20) tubal ligation The fact that it is intended to be Specify type of operation			
ree will to be sterilized by (5) Dr. Tim Lu Physician by a method called (6) tubal ligation Specify type of operation expires 180 days from the date of my signature below. also consent to the release of this form and other medical records about the operation to:	a final and irreversible procedure; and the discomforts, risks, and benefits associated with it. I counseled the individual to be sterilized that alternative methods of birth control are available which are temporary. I explained that sterilization is different because it is permanent. I informed the individual to be sterilized that his/her consent can be withdrawn at any time and that he/she will not lose any health services or benefits provided by Federal funds. To the best of my knowledge and belief the individual to be sterilized is at least 21 years old and appears mentally competent. He/she knowingly and voluntarily requested to be sterilized and appeared to understand the nature and consequences of the procedure. (Instructions for use of alternative final paragraphs: Use the first paragraph below except in the case of premature delivery or emergency abdominal surgery where the sterilization is performed less that 30 days after the date of the individual's signature on the consent form. In those cases, the second paragraph below must be used. Cross out the			
for determining if Federal laws were observed. have received a copy of this form.				
ou are requested to supply the following information, but it is not required.	paragraph which is not used.) (1) At least thirty (30) days have passed between the date of the			
Race and ethnicity designation (please check): Manerican Indian or Black (not of Hispanic origin) Alaska Native Hispanic	individual's signature on this consent form and the date the sterilization was performed. (2) This sterilization was performed less than thirty (30) days but more than 72 hours after the date of the individual's signature on this consent form because of the following circumstances (check applicable box and fill in information requested.)			
Asian or Pacific Islander				
SECTION II: INTERPRETER'S STATEMENT f an interpreter is provided to assist the individual to be sterilized: I have	☐ Premature delivery			
I am interpreted is provided to assist the individual to be stemized. Thave ranslated the information and advice presented orally to the individual to be sterilized by the person obtaining this consent. I have also read him/her the	Individual's expected date of delivery (21) Emergency abdominal surgery (describe circumstances)			
consent form in (9) language and explained	(22) (23) October 1, 2001 Physician's Signature Date			
	Physician's Signature Date			
its contents to him/her. To the best of my knowledge and belief he/she understood this explanation.	(24) Dr. Tim Lu Physician's Printed Name			



STERILIZATION CONSENT FORM

SECTION I: CONSENT TO STERILIZATION		SECTION III: STATEMENT OF PERSON OBTAINING CONSENT				
I have asked for	r and received information	about sterilization from	Before (12)	Jane Doe Name of individual		signed the consent form,
1)	Dr. Tim Physician or	Lu	explained to hi	m/her the nature of the	sterilization	operation,
Physician or Clinic When I first asked for the information, I was told that the decision to be sterilized is completely up to me. I was told that I could decide not to be sterilized. If I decide not to be sterilized, my decision will not affect my right to future care or treatment. I will not lose any help or benefits from programs receiving Federal funds, such as Ald to Families with Dependent		associated with it.				
originals receiving receival units, such as Alu to Families with Dependent Children (AFDC) or Medicaid, that I am now getting or for which I may become eligible.			I counseled the individual to be sterilized that alternative methods of birth control are available which are temporary. I explained that sterilization is different because it is permanent.			
I understand that the sterilization must be considered permanent and not reversible. I have decided that I do not want to become pregnant, bear children, or father children.			I informed the individual to be sterilized that his/her consent can be withdrawn at any time and that he/she will not lose any health services or any benefits provided by Federal funds.			
I was told about those temporary methods of birth control that are available and could be provided to me which will allow me to bear or father a child in the future. I have rejected these alternatives and chosen to be sterilized. I understand that I will be sterilized by an operation known as a			To the best of my knowledge and belief, the individual to be sterilized is at least 21 18 years old and appears mentally competent. He/she knowingly and voluntarily requested to be sterilized and appears to understand the nature and consequences of the procedure.			
	-		(14)	of norsen obtaining conse	(15)	August 20, 2001 Date
2)Spec	ify type of operation	The discomforts, risks, and	June Tile Cities	i or person obtaining conse	ris.	Date
		ve been explained to me. All my	(16) US CIII	nic F	acility	
	been answered to my sat		(17) PO Box	123, Anywhere, W	A 98000	
I understand tha	at the operation will not be	done until at least thirty (30) days	,,	Ac	ldress	
after I sign this t	form. I understand that I	can change my mind at any time	SECTION IV:	PHYSICIAN'S STA	TEMENT	
	cision at any time not to be iny benefits or medical sei	e sterilized will not result in the rvices provided by	Shortly before	I performed a sterilizatio	n operation	upon
Federally-funde	d programs.		(18) Jane Do	oe of individual to be sterilized	(19)	October 1, 2001
ramatieast21 id	o years or age and was born	Month Day Year	I explained to h	nim/her the nature of the	sterilization	n operation
I (4)	Jane Doe ndividual to be sterilized	on (3) August 1, 1984 Month Day Year hereby consent of my own	(20) tubal li	gation ecify type of operation	The	fact that it is intended to I
free will to be sterilized by (5) Dr. Tim Lu Physician by a method called (8) tubal ligation Specify type of operation expires 180 days from the date of my signature below. I also consent to the release of this form and other medical records about the operation to: Representatives of the Department of Health and Human Services; or Employees of programs or projects funded by that department but only for determining if Federal laws were observed. I have received a copy of this form. (8) August 20, 2001 Signature Month Day Year			a final and irreversible procedure; and the discomforts, risks, and benefits associated with it. I counseled the individual to be sterilized that alternative methods of birth control are available which are temporary. I explained tha sterilization is different because it is permanent. I informed the individual to be sterilized that his/her consent can be withdrawn at any time and that he/she will not lose any health services or benefits provided by Federal funds. To the best of my knowledge and belief the individual to be sterilized is at least 21.18 years old and appears mentally competent. He/she knowingly and voluntarily requested to be sterilized and appeared to understand the nature and consequences of the procedure. (Instructions for use of alternative final paragraphs: Use the first paragraph below except in the case of premature delivery or emergency abdominal surgery where the sterilization is performed less that 30 days after the date of the individual's signature on the consent form. In those cases, the second paragraph below must be used. Cross out the			
Race and ethnic	city designation (please c		irty (30) days have pass s signature on this cons med.		the date of the d the date the sterilization	
American Ind Alaska Na	tive 🗌 Hispar	(not of Hispanic origin) nic	(2) This sterilization was performed less than thirty (30) days but more tha 72 hours after the date of the individual's signature on this consent for			
	ific Islander		because o			k applicable box and fill in
		ndividual to be sterilized: I have	☐ Premat	ure delivery		
translated the in	formation and advice pre person obtaining this cor	sented orally to the individual to be sent. I have also read him/her the	Individu	ial's expected date of de ency abdominal surgery		
consent form in	(9)	language and explained	(22)		(22)	October 1 2001
its contents to I understood this	him/her. To the best of m	y knowledge and belief he/she	1	hysician's Signature		October 1, 2001 Date
(10)	Interpreter	(11)	(24)	Dr. Tim Lu Physician's Printed Nam		

Hysteroscopic sterilizations

The agency pays for hysteroscopic sterilizations for women when the following criteria are met:

- An agency-approved device is used. The agency has only approved the ESSURE® device which is placed at the time of the procedure;
- The procedure is predominately performed in a clinical setting such as a physician's office, without general anesthesia and without the use of a surgical suite; and is covered according to the corresponding agency fee schedule;
- The client provides informed consent in accordance with this section, including the use of the Sterilization Consent form, <u>HCA 13-364</u>, for the procedure; and
- The hysteroscopic sterilization is performed by an agency-approved provider who:
 - ✓ Has a core provider agreement with the agency;
 - ✓ Is nationally board certified in obstetrics and gynecology (OB-GYN);
 - ✓ Is privileged at a licensed hospital to do hysteroscopies;
 - ✓ Has successfully completed Conceptus, Inc. manufacturer's training for the device:
 - ✓ Has successfully performed a minimum of 20 hysteroscopies; and
 - ✓ Has established screening and follow-up protocols for clients being considered for hysteroscopic sterilization.
- To become an agency-approved provider for hysteroscopic sterilizations, interested providers must send the agency the following:
 - ✓ Documentation of successful completion of the Conceptus, Inc. manufacturer's training;
 - ✓ Documentation demonstrating privilege at a licensed hospital to perform hysteroscopies;
 - ✓ Documentation attesting to having successfully performed twenty or more hysteroscopies;
 - ✓ A copy of National Board Certification; and
 - ✓ Office protocols for screening and follow-up.

Please mail documentation to:

Physician's Program Manager – Attention: ESSURE Documentation Medical Purchasing Administration PO Box 45506 Olympia WA 98506

A provider will be able to perform and bill for the procedure after receiving an approval letter from the agency which provides additional billing details. A <u>list</u> of agency-approved providers will be posted online under the heading "<u>Medicaid - Centers of Excellence</u>." Only providers on this list can bill and be paid for hysteroscopic sterilizations.

If there are questions regarding this process, please contact the Physician's Program Manager at 360.725.1570.