

## ISSUE ALERTS



### **CMS CLARIFIES OFF-CAMPUS PROVIDER-BASED BILLING PROHIBITION**

November 14, 2016

Late last year, Congress enacted Section 603 of the Bipartisan Budget Act of 2015, which prohibits provider-based billing at new off-campus outpatient departments created after November 1, 2015. By enacting this provision, Congress intended to eliminate payment differentials between freestanding facilities and off-campus outpatient departments. In the Final Rule published on November 14, 2016, CMS addresses implementation of Section 603 and its chilling impact on the provider-based billing rules.