



Physicians Caring for Texans

Feb. 26, 2021

David Milich
Chief Executive Officer – Texas
UnitedHealthcare Employer and Individual
2000 West Loop South Ste. 900
Houston, TX 77027

RE: Incident-to services performed by advanced practice nurses and physician assistants

Dear Mr. Milich:

On behalf of our more than 55,000 Texas physician and medical student members, the Texas Medical Association (TMA) writes to convey concerns with UnitedHealthcare's policy [update](#) regarding Advanced Practice Health Care Provider Policy, Professional effective 3/1/2021 and announced in the December 2020 UHC commercial reimbursement bulletin. In it, UHC requires advanced practice nurses and physician assistants use their own National Provider Identifier (NPI) when they have not met incident-to requirements.

Though TMA supports efforts to ensure incident-to requirements are met, TMA is concerned this policy notice, issued during a public health emergency, will cause needless confusion. We urge UHC to instead conduct further educational outreach to physicians and nonphysician providers on proper billing for incident-to. As part of this effort, UHC should make it clear that physicians can continue to utilize advanced practice nurses and physician assistants under proper incident-to billing arrangements, even if the advanced practice nurse or physician assistant has their own NPI.

It is TMA's [policy](#) on physician assistants and allied health personnel that reimbursement for services performed by a physician assistant should be made directly to the responsible physician. While greater use of nonphysician personnel can improve the system, responsibility for care must be clearly defined if various personnel are to work together effectively to provide high quality services for the patient.

Access to care is a legitimate concern for physicians. Texas has a large geographic area that is deemed rural and has underserved populations. Physicians serve and care for patients in these areas, and understand the need to increase access to care. However, they also recognize the best care is delivered in a physician-led team model. Medical teams provide the best care quality and value to patients. Nonphysician practitioners are able to work within their scope under the leadership of a physician.

Many Texas physicians employ advanced practice nurses and physician assistants who work closely with them to provide excellent care to Texans. TMA encourages all advanced practice providers work within their respective licensed scope of practice, limited further by their education, training, and experience, under appropriate physician delegation and supervision, in a team approach. This is how access can be expanded. Nonphysician practitioners are essential members of a dynamic health care team.

Thank you for the opportunity to comment. If you have questions, please contact Robert Bennett, TMA vice president for medical economics, at robert.bennett@texmed.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Diana L. Fite, MD". The signature is stylized with a large, circular flourish on the left side.

Diana L. Fite, MD
President
Texas Medical Association