GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2005

H HOUSE DRH50173-LN-136 (3/9)

	CI TELL	
	Short Title:	Anatomic Pathology Services/Provider Billing. (Public
	Sponsors:	Representative Nye.
	Referred to:	
1		A BILL TO BE ENTITLED
2	AN ACT	TO RESTRICT THE BILLING FOR ANATOMIC PATHOLOGY
3	SERVICES BY CLINICAL LABORATORIES AND PHYSICIANS PROVIDING	
4	THE SERVICES.	
5	The General Assembly of North Carolina enacts:	
6	SECTION 1. Chapter 90 of the General Statutes is amended by adding the	
7	following new Article to read:	
8	" <u>Article 40.</u>	
9	"Pathology Services Billing.	
10	"§ 90-681. Direct billing of anatomic pathology services.	
11	(a) A clinical laboratory or physician providing anatomic pathology services for	
12	patients in this State shall present a claim, bill, or demand for payment for these services	
13	only to the fo	
14	<u>(1)</u>	
15	<u>(2)</u>	
16	<u>(3)</u>	
17		the services;
18	<u>(4)</u>	<u> </u>
19		or group practice; or
20	<u>(5)</u>	
21		agency, or organization on behalf of the recipient of the services.
22		cept as provided under subsection (f) of this section, no licensed
23	practitioner in the State shall directly or indirectly charge, bill, or otherwise solicit	
24	payment for anatomic pathology services unless the services were rendered personally	

by that practitioner or under the practitioner's direct supervision in accordance with

section 353 of the Public Health Service Act (42 U.S.C. § 263a.).

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- No patient, insurer, third-party payor, hospital, public health clinic, or 1 (c) 2 nonprofit health clinic shall be required to reimburse any licensed practitioner for 3 charges or claims submitted in violation of this section. 4 Nothing in this section shall be construed to require direct reimbursement to 5 the practitioner for anatomic pathology services. 6 (e) As used in this section, "anatomic pathology services" means: 7 Histopathology or surgical pathology: the gross and microscopic (1) 8 examination and histologic processing of organ tissue performed by a 9 physician or under the supervision of a physician; 10 (2) Cytopathology: the examination of cells, from fluids, aspirates, washings, brushings, or smears, including the Pap test examination 11 12 performed by a physician or under the supervision of a physician; Hematology: the microscopic evaluation of bone marrow aspirates and 13 (3) 14 biopsies performed by a physician, or under the supervision of a physician and peripheral blood smears when the attending or treating 15 physician or technologist requests that a blood smear be reviewed by a 16 17 pathologist; and Subcellular pathology and molecular pathology; and blood-banking 18 <u>(4)</u> services performed by pathologists. 19 This section does not prohibit billing of a referring laboratory, other than a 20 (f) laboratory of a physician's office or group practice, for anatomic pathology services in 21 instances where a sample or samples must be sent to another specialist. 22 23 Nothing in this section shall be construed as precluding a hospital affiliated (g) 24 laboratory from billing the director of the laboratory for anatomic pathology services, or a component thereof, that were provided in the hospital-affiliated laboratory and 25 supervised by the director of the laboratory. 26
 - (h) The respective State licensing boards having jurisdiction over any practitioner who may request or provide anatomic pathology services may revoke, suspend, or deny renewal of the license of any practitioner that violates this section."

SECTION 2. This act is effective when it becomes law.

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