

### DME MAC Jurisdiction A

## “DR” condition code and the “CR” modifier on Medicare fee-for-service claims (CMS Message 201001-30)

Posted February 05, 2010 ([GEN](#))

This message concerns the use of the “DR” condition code and the “CR” modifier on Medicare fee-for-service claims.

As part of its response to the 2005 *Katrina* hurricane emergency, the Centers for Medicare and Medicaid Services (CMS) developed the “DR” condition code and the “CR” modifier to facilitate the processing of claims affected by that emergency. (See Transmittal 184 (CR 4106), issued on October 15, 2005.) Use of these indicators was also authorized for claims affected by subsequent emergencies. The discretionary use of these indicators by a provider or supplier was permitted and such use signified not only that the item or service was affected by an emergency or disaster, but also that the provider or supplier had met all of CMS’ requirements related to the furnishing of such item or services during the emergency or disaster.

Subsequently, on July 31, 2009, CMS issued Transmittal 1784 (CR 6451) which, among other things, narrowed the scope of permitted uses of these indicators. In particular, it eliminated the discretionary use of both the “DR” condition code and the “CR” modifier by providers and suppliers.

For the H1N1 pandemic emergency, CMS has authorized the use of the “DR” condition code and the “CR” modifier only by providers that have been granted a formal waiver under § 1135 of the *Social Security Act* and then only for services affected by the emergency and while the waiver remains in effect. No other provider or supplier may use either indicator at this time.

Providers and suppliers who have been annotating their claims with one or both indicators should cease doing so (unless they are operating under a formal 1135 waiver). Processing of claims annotated with these indicators, that are submitted by providers and suppliers that have not been granted an 1135 waiver, may be delayed.

Please contact your local CMS Regional Office if you have questions or need more information. You may also visit the H1N1 Web page at <http://www.cms.hhs.gov/H1N1>