

**9505.0221 PAYMENT LIMITATION; PARTIES AFFILIATED WITH A PROVIDER.**

Except as allowed in part 9505.0287, equipment, supplies, or services prescribed or ordered by a physician are not eligible for medical assistance payment if they are provided:

A. by a person or entity that provides direct or indirect payment to the physician for the order or prescription for the equipment, supplies, or services; or

B. upon or as a result of direct referral by the physician to an affiliate of the physician unless the affiliate is the only provider of the equipment, supplies, or services in the local trade area.

For purposes of this part, "affiliate" means a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with the referring physician.

**Statutory Authority:** *MS s 256B.04*

**History:** *12 SR 624; 17 SR 2042*

**Published Electronically:** *August 12, 2008*