Centers for Medicare & Medicaid Services, HHS

§ 440.50

Physicians’ services and medical and surgical services of a dentist.

(a) “Physicians’ services,” whether furnished in the office, the beneficiary’s home, a hospital, a skilled nursing facility, or elsewhere, means services furnished by a physician—

1. Within the scope of practice of medicine or osteopathy as defined by State law; and

2. By or under the personal supervision of an individual licensed under State law to practice medicine or osteopathy.

(b) “Medical and surgical services of a dentist” means medical and surgical services furnished, on or after January 1, 1988, by a doctor of dental medicine or dental surgery if the services are services that—

1. If furnished by a physician, would be considered physician’s services.

2. Under the law of the State where they are furnished, may be furnished either by a physician or by a doctor of dental medicine or dental surgery; and

3. Are furnished by a doctor of dental medicine or dental surgery who is authorized to furnish those services in the State in which he or she furnished the services.

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