



**NEW YORK STATE MEDICAID
FAMILY PLANNING SERVICES
Frequently Asked Questions
May 2015**

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I. Definitions, Acronyms, and Initials

340B Pricing: The 340B Drug Discount Program is a federal program created in 1992 that requires drug manufacturers to provide outpatient drugs to eligible health care organizations and covered entities at significantly reduced prices. Drugs purchased at 340B discount pricing cannot be used for inpatient services.

Ambulatory Patient Groups (APG): APG is a payment methodology based on the Enhanced Ambulatory Patient Groups classification system. APGs are designed to predict the average pattern of resource use for a group of patients in a given APG. The APG payment methodology pays differential amounts for ambulatory care services based on the resources required for each patient visit.

Common Benefit Identification Card (CBIC): The CBIC is a permanent plastic card which contains information needed for eligibility verification for a single Medicaid recipient. The photo or non-photo CBIC contains the following information for the recipient:

- Medicaid number;
- First name;
- Last name;
- Middle initial;
- Sex;
- Date of birth; and
- An access number, a sequence number, an encoded magnetic strip and a signature panel.

The issuance of an identification card does not constitute full authorization for provision of medical services and supplies. The provider must verify recipient eligibility each time a service is provided to be assured that a recipient is eligible. A provider not verifying eligibility prior to provision of services will risk the possibility of nonpayment for those services.

Current Procedural Terminology (CPT): The CPT code set is a medical code set maintained and copyrighted by the American Medical Association. The CPT code set describes medical, surgical, and diagnostic services and is designed to communicate uniform information about medical services and procedures among physicians, coders, patients, accreditation organizations, and payers for administrative, financial, and analytical purposes.

Computer Sciences Corporation (CSC): CSC is currently New York State's fiscal agent for Medicaid. All providers enrolled in the New York Medicaid program submit their Medicaid claims through CSC's eMedNY system. **CSC's eMedNY Call Center: 1-800-343-9000**

eMedNY: eMedNY is the electronic Medicaid system of New York State which was developed and implemented by CSC to process HIPAA compliant Medicaid claims.

Family Planning Benefit Program (FPBP): FPBP is a free, confidential program that provides Medicaid coverage of family planning services for men and women of child-bearing years that have an income under 223% of the Federal Poverty Level. FPBP services are available to persons who are not otherwise eligible for Medicaid or who have indicated that they only want to apply for the FPBP. For more information on the FPBP please see question #5.

Family Planning Extension Program (FPEP): The FPEP provides up to 26 months of additional access to family planning services for women who were on Medicaid while they were pregnant, but subsequently

were not eligible for comprehensive Medicaid coverage when the pregnancy ended. FPEP is 100% State funded. For more information on FPEP please see question #5.

Federal Poverty Level (FPL): The FPL is a level of income level annually by the Department of Health and Human Services. Federal poverty levels are used to determine eligibility for certain programs and benefits, including Medicaid.

Fee-for-Service (FFS): FFS is an encounter based billing methodology. Recipients use their CBIC to access services from NYS Medicaid enrolled providers.

Free Access: Free Access is a NYS Medicaid policy, required by Federal law. Free Access applies only to Medicaid Managed Care enrollees and it allows enrollees to obtain family planning and reproductive health services from any Medicaid participating provider (in or out of a managed care plan's network), without referral or prior approval of the plan.

Healthcare Common Procedural Coding System (HCPCS): HCPCS was established in 1978 to provide a standardized coding system for describing the specific items and services provided in the delivery of health care.

Medicaid: Medicaid is a government program for New Yorkers who can't afford to pay for medical care.

Medicaid Managed Care: Medicaid managed care is a Medicaid program where recipients are enrolled in a health plan and use their health plan insurance card to access services from their health plan's participating providers.

Medicaid Eligibility Verification System (MEVS): MEVS is a component of the eMedNY system which enables providers to verify member eligibility prior to provision of services. A member must present an official CBIC. The verification process through eMedNY can be accessed using one of the following methods:

- Telephone verification process (Audio Response Unit or ARU);
- VeriFone POS device(s); and
- Other access methods: ePACES, CPU-CPU link, eMedNY eXchange, dial-up FTP, and File Transfer Service using SOAP.

National Drug Code (NDC): The NDC is a universal product identifier for human drugs. Drug products are identified and reported to the U.S. Food and Drug Administration using a unique, three-segment number, called the National Drug Code (NDC).

Procedure Code Modifiers: Procedure code modifiers help further describe a procedure code without changing the definition of the code. Modifiers can be found in the CPT (Current Procedural Terminology) and HCPCS.

UD Modifier: The UD modifier is a procedure code modifier nationally designated as applicable only to Medicaid billing. In NYS, the UD modifier is included on claims to designate a drug purchased at a discounted rate (340B pricing).

Welfare Management System (WMS): WMS is a system capable of receiving, maintaining and processing information relating to persons who apply for benefits, or who are determined to be eligible for benefits under NYS Social Services Law. Section 21 of the New York State Social Services Law required the New York State to design and implement a Welfare Management System (WMS).

II. Family Planning Fundamentals

1. Q: What family planning services are covered under Medicaid?

A: Medicaid covered family planning services include:

- Most FDA approved birth control methods, devices, and supplies (e.g., birth control pills, injectables, patches, condoms, diaphragms, IUDs)
- Emergency contraception services and follow-up care
- Male and female sterilization
- Preconception counseling and preventive screening and family planning options before pregnancy
- Transportation to/from family planning visits (not covered under FPEP)

The following additional services are considered family planning only when provided within the context of a family planning visit **and** when the service provided is directly related to family planning:

- Pregnancy testing and counseling
- Comprehensive health history and physical examination, including breast exam and referrals to primary care providers as indicated (Mammograms are not covered.)
- Screening and treatment for sexually transmitted infections (STIs)
- Screening for cervical cancer and urinary tract or female-related infections
- Screening and related diagnostic laboratory testing for medical conditions that affect the choice of birth control, e.g., a history of diabetes, high blood pressure, smoking, blood clots, etc.
- HIV counseling and testing
- Counseling services related to pregnancy, informed consent, and STI/HIV risk counseling
- Bone density scan (**only for women who plan to use or are currently using Depo-Provera**)
- Ultrasound (**to assess placement of an intrauterine device**)

2. Q: How do patients access family planning services through Medicaid?

A: The type of program that a patient is covered by can be determined by checking their Medicaid coverage (i.e., verifying the type of Medicaid coverage using the client identification number found on the patient's Common Benefit Identification Card (CBIC)) online or by phone. In New York State, patients may access family planning services through any of the following government health insurance programs:

- **Medicaid** is a program for New Yorkers who can't afford to pay for medical care.
 - **Fee-for-service** recipients use their CBIC to access services from NYS Medicaid enrolled providers.
 - **Medicaid managed care** recipients use their health plan insurance card to access services from their health plan's participating providers. Managed care enrollees may also use their CBIC card to access family planning services from a NYS Medicaid enrolled provider. The **Free Access** policy allows Managed care enrollees to obtain family planning and reproductive health services from any Medicaid participating provider (in or out of a managed care plan's network). Refer to **Free Access** in the **Definitions, Acronyms, and Initials** section for more information.

- **Family Planning Benefit Program (FPBP) is a free, confidential program that provides** Medicaid coverage of family planning services for teens, women and men that have an income under 223% of the Federal Poverty Level. FPBP services are available to persons who are not otherwise eligible for Medicaid or who have indicated that they only want to apply for the FPBP. Refer to Question #5 for more information on FPBP.
- **Family Planning Extension Program (FPEP) provides** up to 26 months of additional access to family planning services for women who were on Medicaid while they were pregnant, but subsequently were not eligible for comprehensive Medicaid coverage when the pregnancy ended. Refer to Question #5 for more information on FPEP.

III. Confidentiality

3. Q: If a patient is concerned about confidentiality, what can I tell them will happen when Fee-for-Service (FFS) Medicaid is billed for family planning services?

A: All communications, information, and documents received in the course of accepting the Medicaid and FPBP application and assisting the applicant is confidential and may not be disclosed to unauthorized personnel or used for any purpose other than determining eligibility for Medicaid and the FPBP. When FFS Medicaid is billed for family planning services an explanation of benefits is not sent to the insurance policy holder.

4. Q: Does a provider have to bill a patient's private (non-Medicaid) insurance, before billing Medicaid, if the patient says doing so would jeopardize their emotional or physical health, safety and/or confidentiality?

A: No. 'Good cause' may be granted when, during the application process, an applicant/recipient states that billing their third party health insurance (TPHI) could jeopardize their emotional or physical health, safety and/or confidentiality and privacy. The provider is required to call the **New York Health Options Statewide Call Center (1-800-541-2831)** to request a "good cause waiver authorization." This good cause waiver can be authorized for a period of up to one year. During that time, the TPHI will not be billed. The New York Health Options Statewide Call Center will enter the necessary information into eMedNY.

IV. Family Planning Programs

- Family Planning Benefit Program (FPBP)
- Family Planning Extension Program (FPEP)

5. Q: What are the differences between FPBP and FPEP?

	FPBP	FPEP
MEVS Response	<ul style="list-style-type: none"> • “Eligible Only Family Planning Services” 	<ul style="list-style-type: none"> • “Eligible Only Family Planning Services No Transportation”
Eligibility Criteria	<ul style="list-style-type: none"> • New York State resident, U.S. citizen, National, Native American, or have satisfactory immigration status, and • Income at/below 223% Federal Poverty Level (FPL). 	<ul style="list-style-type: none"> • Must have been pregnant while in receipt of Medicaid (regardless of how that pregnancy ended), but is no longer eligible for Medicaid after 60 days postpartum.
Additional Information	<ul style="list-style-type: none"> • Presumptive eligibility provides an individual immediate access to FPBP covered services (see question 1) and assures that the provider will receive Medicaid reimbursement for covered family planning services, supplies and treatment provided during the presumptive period. 	<ul style="list-style-type: none"> • Claiming is now done through Computer Sciences Corporation (CSC). • Eligibility can be checked using the Common Benefit Identification Card (CBIC).
Coverage	<ul style="list-style-type: none"> • Retroactive coverage (up to 3 months of application is available, if eligible). • Coverage must be renewed every 12 months. • FPBP enrollees have coverage of transportation to/from family planning services. 	<ul style="list-style-type: none"> • Coverage is automatically generated on WMS based on the ineligibility of the individual at the end of the 60-day postpartum period. • FPEP enrollees do NOT have Medicaid coverage of transportation services.

NOTE: Eligibility should be checked using the Common Benefit Identification Card (CBIC) through MEVS for both FPBP and FPEP at every visit, just as is done for FFS Medicaid enrollees.

V. Sterilization

6. Q: Are there instructions for completing Sterilization Consent Forms for Medicaid? Where are the forms and instructions located?

A: A Sterilization Consent Form must be completed for each sterilization procedure. In order for the procedure to be Medicaid reimbursable, the Sterilization Consent Form must be completed at least 30 days, but not more than 180 days prior to the procedure. The practitioner claims for sterilization procedures must be submitted on paper, and a copy of the completed and signed Sterilization Consent Form, LDSS-3134 [or LDSS-3134(S)] must be attached to the claim.

When completing the LDSS-3134, please follow the guidelines below:

- An illegible or altered form is unacceptable.
- Each required field must be completed in order to ensure payment.
- If a patient is not Medicaid eligible at the time he/she signs the LDSS-3134 [or LDSS-3134(S)] form but becomes eligible prior to the procedure and is 21 years of age when the form was signed, the 30 day waiting period starts from the date the LDSS form was signed regardless of the date the patient becomes Medicaid eligible.

A sample consent form and field by field instructions can be found in Appendix B of the NYS Medicaid General Professional Billing Guidelines (Version 2013-1) Manual that may be accessed online at: https://www.emedny.org/ProviderManuals/AllProviders/General_Billing_Guidelines_Professional.pdf

A supply of the Sterilization Consent Forms, available in English [LDSS-3134] and in Spanish [LDSS-3134(S)], can be obtained from the NYS DOH website at: http://www.health.ny.gov/health_care/medicaid/publications/ldssforms.htm

VI. BILLING AND CLAIMING

7. Q: Are there co-payments for Medicaid covered family planning services?

A: No. Medicaid-covered family planning services are exempt from all co-payment requirements. Additional information can be accessed online at: http://www.health.ny.gov/health_care/medicaid/#copay.

8. Q: Can Medicaid be billed for both an abortion and a contraceptive service on the same day?

A: Yes. Providers can bill for contraceptive services provided on the same day as an abortion service. Providers may bill Medicaid for the cost of vaginal rings, birth control patches, etonogestrel implants, IUDs, and an initial supply of oral contraceptives (including emergency contraceptives) provided to the patient during a covered visit. The Medicaid payment to a clinic is subject to the APG logic.

9. Q: Can Medicaid be billed for the long-active reversible contraceptive (LARC) when provided on the same day as a delivery?

A: Yes. The hospital may bill Medicaid when a patient receives a LARC during the inpatient stay following a delivery. Since 340B drugs are limited to hospital outpatient services only, 340B hospitals should submit the LARC charges at non-340B price, with no UD modifier. It is expected that there would be a corresponding claim for an inpatient post-partum stay. Additional information is available

in the provider communications available online at:

https://www.emedny.org/listserv/Inpatient/Inpatient_Reimbursement_for_LARC_Provided_as_an_Inpatient_Post-Partum_Service_05-28-14.pdf

https://www.emedny.org/listserv/Inpatient/Inpatient_Clarification_on_Reimbursement_for_LARC_Provided_as_an_Inpatient_Post-Partum_Svc_4-9-15.pdf

10.Q: Can Medicaid be billed for contraceptives provided to a patient during a covered clinic visit?

A: Yes. Medicaid can be billed when the following contraceptive methods/devices are provided during a covered clinic visit: patient's initial supply of oral contraceptives (including emergency contraceptives), the vaginal ring, patch, birth control injection, implant, and IUD.

This applies for patients with Medicaid (which includes coverage of family planning services) as well as those only eligible for the Family Planning Benefit Program (FPBP) or the Family Planning Extension Program (FPEP). In addition, this policy applies when Medicaid recipients in a Medicaid managed care plan access contraception services via "Free Access".

NOTE: The provision of oral contraceptives may not be billed as a stand-alone service. The provision of oral contraceptives must be billed in conjunction with another service, for example, an evaluation and management visit. Please see the February 2013 Medicaid Update that explains the change in Medicaid billing policy to allow clinics to bill Medicaid for oral contraceptives (including emergency contraception), available online at:

http://www.health.ny.gov/health_care/medicaid/program/update/2013/feb_update.pdf

11.Q: Can Federally Qualified Health Centers (FQHCs) bill Medicaid for oral contraceptives provided to patients during covered clinic visits?

A: FQHCs that have "opted into" APGs can bill for contraceptives provided on site. Refer to the **NOTE within Q/A #10 for more information.**

FQHCs that have "opted out" of APGs may bill their all-inclusive threshold rate, and the provision of contraceptives is included in this rate, when the patient is seen, receives an evaluation and management visit, and an initial supply of oral contraceptives.

12.Q: Can contraceptives provided to patients be billed to Medicaid as a stand-alone service?

A: Most contraceptive methods provided to patients in a doctor's office or a clinic cannot be billed to Medicaid as a stand-alone service. The only contraceptive that can be billed as a stand-alone clinic service is Depo-Provera when administered by a Registered Professional Nurse (RN) or Licensed Practical Nurse (LPN) within their scope of practice with a patient specific order from a physician, physician assistant, nurse practitioner or licensed nurse midwife, in a clinic. In this situation, Depo-Provera (J1050) may be billed to Medicaid on an Ordered Ambulatory claim with the injection (96372) when an APG claim is **not** billed for the clinic patient on the same date of service.

13.Q: Can a provider bill Medicaid for an FPBP or an FPEP enrollee when the primary reason for the patient's visit is a sexually transmitted infection (STI)?

A: Yes. In April 2014 the Center for Medicare and Medicaid Services (CMS) determined visits for the diagnosis and treatment of an STI are Medicaid reimbursable because the services are always

provided “pursuant to” a family planning service. In order to be reimbursed, the claim must include a diagnosis in the V25 series and a family planning indicator. For more information you may access the CMS State Medicaid Director’s Letter #14-003 at: <http://www.medicaid.gov/Federal-Policy-Guidance/Downloads/SMD-14-003.pdf> and an article in the August 2014 NYS Medicaid Update at http://www.health.ny.gov/health_care/medicaid/program/update/2014/sept14_mu.pdf

14.Q: How much does Medicaid pay for the contraceptive methods provided to patients during covered clinic visits?

A: For clinic reimbursement policy and rates please see the Ambulatory Patient Groups (APGs) information online at: http://www.health.ny.gov/health_care/medicaid/rates/apg/index.htm. For practitioner reimbursement policy and rates, please refer to the provider specific manuals and fee schedules online at: <https://www.emedny.org/ProviderManuals/index.aspx>.

15.Q: How do providers bill Medicaid for contraceptive methods/devices provided to clinic patients during covered clinic visits?

A: Billing Medicaid for contraceptives provided during a covered clinic visit requires the clinic to file an APG claim for the evaluation and management (E & M) visit or other covered service. The APG claim must include the applicable CPT code for the medical service(s) in addition to the CPT/HCPCS code for the specific contraceptive provided (oral contraceptive, patch, ring). The only exception is when Depo-Provera is administered as a stand-alone service. Refer to **Q/A #12** for more information. For either the IUD or an implant, providers must submit two separate claims - an APG claim for the medical visit/service(s) and an Ordered Ambulatory claim for the acquisition cost of the device.

The acquisition cost by invoice of the contraceptive must be included on the APG or Ordered Ambulatory claim in the “charges” field. Report the actual acquisition cost as well as either **the NDC or the UD modifier**. If contraceptives are purchased under 340B (federal discount) pricing, append only the UD modifier. If contraceptives are not purchased under 340B pricing, report only the NDC. If the claim has neither the NDC nor the UD modifier, it will be denied.

Refer to the attached chart: **CLINIC BILLING FOR CONTRACEPTIVES**.

A LARC Quick Coding Guide: Coding for Contraceptive Implants and IUDs, developed by the American Congress of Obstetricians and Gynecologists is available online at: <https://www.acog.org/~media/Departments/LARC/LARCQuickCodingGuide.pdf>

16.Q: For those Medicaid programs that only cover family planning services (Family Planning Benefit Program (FPBP) and Family Planning Extension Program (FPEP)), what needs to be included on the Medicaid claim to identify the service(s) as family planning?

A: When the primary reason for the visit is family planning, the primary diagnosis on the Medicaid claim must represent contraceptive management services (V25 series ICD-9 diagnosis codes) and there must be a “Y” in the family planning box/indicator.

When the primary reason for the initial or follow-up visit is for STI testing and/or counseling the primary diagnosis on the claim must represent the medical complaint/issue responsible for the visit and the claim must contain a secondary diagnosis for contraceptive management services (V25 series ICD-9 diagnosis codes).

When the primary reason for the visit is follow-up treatment of a limited medical condition that was diagnosed during a previous family planning visit, the secondary diagnosis code on the Medicaid claim must represent contraceptive management services (V25 series ICD-9 diagnosis codes).

A list of approved procedure codes under the FPBP is available online at:

http://www.health.ny.gov/health_care/medicaid/program/update/2014/2014-09.htm#cla

17. Q: What procedure codes/HCPCS are used to bill FFS Medicaid for contraceptives provided on site?

A: Refer to the attached chart, **CLINIC BILLING FOR CONTRACEPTIVES**. The procedure codes for contraceptive methods that should be included on the APG claim (with procedure codes for all other rendered services, e.g., 99215 for evaluation/management service) are:

- **Oral Contraceptives: S4993**
- **Emergency Contraceptives : S4993**
- **Vaginal Ring: J7303**
- **Patch: J7304**
- **Depo-Provera Injection: J1050** (If administered as a stand-alone service, see **Q/A # 12**).

The procedure codes for contraceptive methods, carved-out of APGs that should be included on an Ordered Ambulatory claim (separate from the APG claim for all other rendered services) are:

- **Etonogestrel Implant** (including insertion supplies): **J7307**
Note: Additional codes for implant insertion and removal reported on the APG claim:
 - Insertion: 11981
 - Removal: 11982
 - Removal with reinsertion: 11983
- **IUD ParaGard: J7300 / Mirena or Liletta: J7302 / Skyla: J7301**
Note: Additional codes for IUD insertion and removal reported on the APG claim:
 - Insertion: 58300
 - Removal: 58301
 - Removal with reinsertion: There is no code that represents an IUD removal and insertion performed on the same date of service. When a physician performs both of these procedures on the same day, both codes (58300 and 58301) must be reported.

These ordered ambulatory claims must:

- Include the acquisition cost by invoice and
- The NDC must be reported on claim and if purchased at the 340B price, the UD modifier must be appended for Medicaid FFS billing.

Note: Claims denied due to exceeding service limits may be resubmitted on paper with supporting documentation of medical necessity for payment consideration.

18.Q: When billing Medicaid for contraceptives provided during a covered family planning visit, does the number of units need to be reported on the claim?

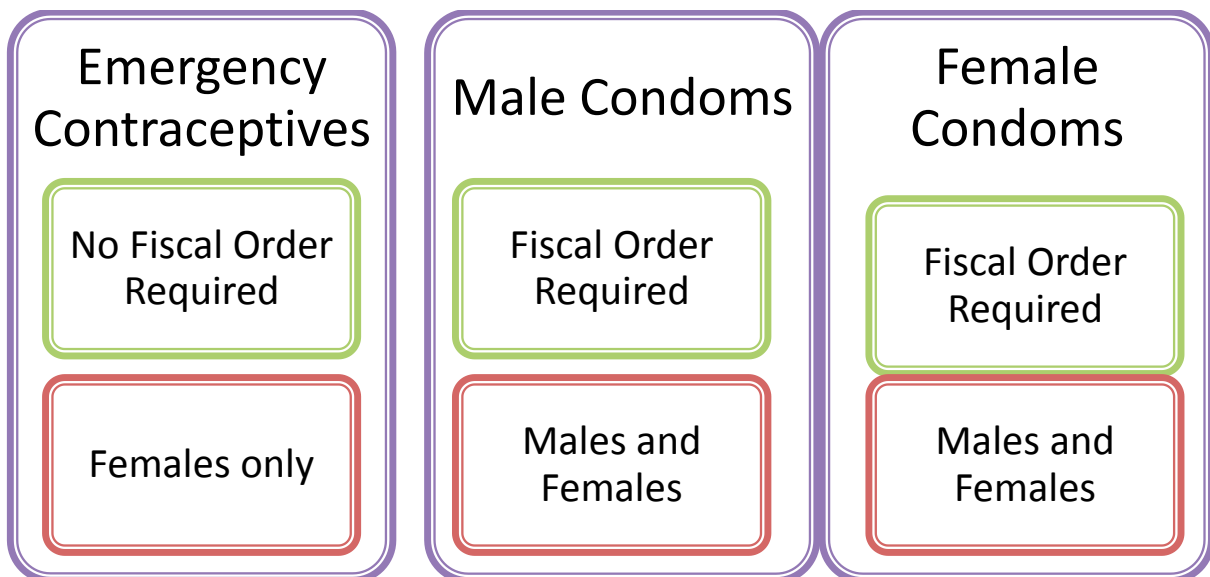
A: Yes, the number of units must be reported on the Medicaid claims. For contraceptives that can be included on the APG claim, the units that may be billed with one visit are as follows:

- **Oral Contraceptives (including emergency contraceptives)** : 3 units (1 unit = 1 month supply)
- **Vaginal Ring:** 1 unit
- **Patch:** 1 unit
- **Depo-Provera Injection:** 150 units (1 unit = 1 mg)

19.Q: What contraceptives are available to Medicaid beneficiaries on an over-the-counter basis at a pharmacy, and does the patient access them with their Medicaid card?

A: The following over-the-counter contraceptives can be obtained at participating pharmacies with the patient's Medicaid card (CBIC): Emergency contraceptives, male condoms, and female condoms. See chart for more information.

OVER-THE-COUNTER CONTRACEPTIVE



VII. Resources

20. Q: Who do I ask if I have other questions about Medicaid coverage policy or claims?

Billing & Claiming Questions
eMedNY Call Center
1-800-343-9000

Medicaid Policy Questions
Office of Health Insurance Programs
1-518-473-2160

Managed Care Questions
Contact the enrollee's health plan

Provider Enrollment/Revalidation
1-800-343-9000
<https://www.emedny.org/info/ProviderEnrollment/>

Medicaid Home Page
http://www.health.ny.gov/health_care/medicaid/

September 2014 Medicaid Update article, *Clarification of Medicaid Family Planning Services for Beneficiaries*
http://www.health.ny.gov/health_care/medicaid/program/update/2014/sept14_mu.pdf



CLINIC BILLING FOR CONTRACEPTIVES

ORAL CONTRACEPTIVE (OC)

1 CLAIM

APG CLAIM

Use **S4993** for OC (includes Emergency Contraceptives Plan B & Ella)

Not covered as a "stand-alone" Must be accompanied by another service, e.g., evaluation and management visit

IMPLANT

2 CLAIMS

APG CLAIM

Insertion - **11981**

Removal - **11982**

Removal with reinsertion
11983

ORDERED AMBULATORY CLAIM

Device - use **J7307**
Report acquisition cost by invoice on the claim

COPPER IUD (PARAGARD)

2 CLAIMS

APG CLAIM

Insertion - **58300**

Removal - **58301**

ORDERED AMBULATORY CLAIM

Device - use **J7300**
Report acquisition cost by invoice on the claim

HORMONAL IUD (MIRENA & LILETTA)

2 CLAIMS

APG CLAIM

Insertion - **58300**

Removal - **58301**

ORDERED AMBULATORY CLAIM

Use **J7302** for the device
Report acquisition cost by invoice on the claim

HORMONAL IUD (SKYLA)

2 CLAIMS

APG CLAIM

Insertion - **58300**

Removal - **58301**

ORDERED AMBULATORY CLAIM

Use **J7301** for the device
Report acquisition cost by invoice on the claim

OTHER CONTRACEPTIVE METHODS

1 CLAIM

APG CLAIM

Vaginal Ring - **J7303**

Patch - **J7304**

Depo-Provera Injection*
J1050

* When a Depo-Provera injection is administered by an RN or LPN within their scope of practice with a patient-specific order from a licensed or certified, as applicable, and currently registered physician, physician assistant, nurse practitioner or midwife, J1050 and 96372 (therapeutic injection) may be billed to Medicaid as an ordered ambulatory service when an APG claim is **not** billed for that patient on the same date of service.

** **Reminder:** When the primary reason for the visit is family planning, a primary diagnosis of contraceptive management should be on the claim. The claim should also include a family planning indicator.