Dynamic Chiropractic

Letter to the Profession

RE: NOOPE REGULATION

Editorial Staff

Due to the many telephone calls the board office is receiving questioning the provisions of Section 317 (u), No Out of Pocket Expense (NOOPE) regulation, the board provides the following information:

There will be no grace period in the enforcement of the NOOPE regulation, and it will be enforced as unprofessional conduct. The disclosure procedure should begin in each office on the next billing date following receipt of the notice of the effective date. The regulation is to be applied for services rendered; however, it does not apply retroactively. The entire statement must appear with the insurance form, but may be attached as a second page. It does not need to be imposed on the actual face of the insurance form. It must be used whenever a deductible or co-payment is waived or discounted. If there is no waiver being given, it is not necessary to use or attach the statement.

Board of Chiropractic Examiners

317.

(u) Developing an agreement to waive, abrogate, or rebate the deductible and/or co-payment amounts of any insurance policy by forgiving any or all of any patient's obligation for payment thereunder, unless the insurer is notified in writing of the fact of such waiver, abrogation, rebate, or forgiveness in each such instance.

In all insurance billings where a waiver of a deductible/co-payment is intended as an advertised/marketing procedure the chiropractor's statement and insurance billing shall contain the following statement:

I/We Waive Co-Payments and/or Deductibles. It Is My/Our Intention to Do the Following: (Indicate one choice below)

( ) Bill the Patient $xxxxx After Receipt From You of $XXXXXXX.

( ) Waive Any Further Payment From the Patient After Receipt From You of $XXXXXXX.

( ) In cases where predetermination of Insurance Benefits Is Not Possible, I/We Provide the Following Written Explanation of My/Our Billing Intentions:xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
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Editor's Note: The following new subsection (u) of Section 317, title 116, California Code of Regulations will be put to a public hearing (date currently undisclosed) for approval.

NOVEMBER 1990

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