

# Are Your Financial Policies and Practices Bulletproof?

*INTEGRITY IS THE NAME OF THE GAME*

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*Integrity:* "1) firm adherence to a code of especially moral or artistic values: incorruptibility; 2) an unimpaired condition: soundness; 3) the quality or state of being complete or undivided: completeness." - *Merriam-Webster*

I was inspired to write my [July 1, 2011](#) article, "Managing Medicare: Winners Never Quit, Quitters Never Win," because a large number of chiropractors were asking how they could get out of Medicare. If you read that article, you understand that chiropractors cannot "opt out" of Medicare and that if you don't want to bill Medicare for your patients, you have to refer them to a provider who *will* bill Medicare for the patients.

I continue to hear from chiropractors that I must be wrong because their colleagues down the street are treating Medicare patients and don't bill Medicare. My response is, "Two wrongs don't make a right." However, I understand your frustration. You became a chiropractor because you are passionate about healing, and now the powers that be are telling you what you can charge, and that you have to document your services and use proper codes for the services you render.



I have always insisted that chiropractors learn the rules of the business and play according to those

rules so they are able to serve their patients until they retire. I have been told by some people that no one can possibly live up to "my" standards. I am quick to point out that they are not "my" standards, but local, state, and federal laws, and that my job as a consultant and educator is to make every attempt to learn all that I can about local, state, and federal laws; to only teach what I know; and to the best of my ability, to be factual.

### Why Risk Your Practice? Is It Really Worth the Risk?

Numerous times I have to tell potential clients that I am not willing to do their billing because, even after pointing out violations in state and federal laws, they refused to make any changes. A common statement I hear from chiropractors is that they are going to have a "cash practice." They are going to have the patient pay in full at the time of the visit and give them a "superbill" they can send in for reimbursement. When asked why, they respond with statements such as, "Then I won't have to deal with all the insurance issues such as waiting for payment; I won't have to reply to insurance carriers' requests for additional information; and I won't have the same documentation and coding requirements." *Wrong!*

In the past few years, many offices have had their patient records reviewed by [third-party insurers](#), state boards and Medicare. In some cases, the chiropractors were required to reimburse the carriers substantial amounts of money because their documentation did not support the codes and services, and/or the services were not accurately reflected in patients' records. In other cases, they lost their licenses or were placed on probation with their state board.

When doing an evaluation of an office and reviewing codes and documentation, I have discovered that some offices are not coding their services correctly, and in other cases, the codes are correct, but the documentation doesn't reflect the services rendered. Worse yet, sometimes there is no documentation at all. This is a major concern.

In some instances, the doctors have outside billing companies that are submitting their claims for them; it is not uncommon for the doctor to ask me why the biller did not point out the inconsistency. Worse yet, I have been told that several outside billers changed the codes so the doctor could get more money, which, if they are getting a percentage, will increase their pay.

If you have an outside company doing your billing, I strongly encourage you to have them come into your office and review your patient forms and procedures to ensure that your codes reflect the services you provide, and that your documentation reflects the services being received, coded and charged. Also, please review your bills prior to the billers submitting them to ensure that they reflect what you did, and that nothing was changed without your knowledge and permission. Remember, *your* name is on the claim form or superbill, indicating the information you have provided is true, complete and not misleading.

Another concern is the number of offices currently offering "cash discounts" for payment at time of service or offering "pre-paid" packages or plans" without determining if the programs they are offering are in compliance with state and federal laws. Please check with your state board and [chiropractic association](#) *before* implementing such practices to determine if the packages or plans you are offering are legal.

Remember, just because a well-meaning practice-management group, office you have done an internship or preceptorship in, or a colleague or associate tells you they do it, doesn't mean what they are doing is legal. It's *your* job to determine what's legal and what's not.

### Don't Learn the Hard Way

On a personal note, last year I was sued by a chiropractor for sending an unsolicited fax and trespassing via the phone lines. Yes, it is true. I have always taken great pride in operating my business from a place of 100 percent integrity and thought I had done due diligence before the fax was sent. The chiropractor who sent the fax out for me told me exactly what I needed to have on the fax to comply with state and federal laws, and since he had been doing it successfully for many years, I had no reason to believe that the information he had shared with me was wrong.

Since I believed I had not violated any laws, I fought the case. During the mediation process, I explained to the mediator what steps I had taken in an attempt to ensure that I had not violated any state or federal laws. He did not care that I had made every attempt to comply with the laws as I understood them. All he could say was I had blown it and needed to pay up.

What concerned me most was that the chiropractor who sued me did not contact me and ask me to remove him from the list serve, or call the phone numbers at the bottom of the fax and ask to be removed. I wish I understood why he needed to take such drastic measures when a simple phone call could have saved us both time and money.

You should not have to lose sleep or worry about whether your policies and practices are bulletproof. If you think it will never happen to you, or think you can do it as long as you don't get caught, think again. Ask yourself, is it worth the risk? Take the time to do due diligence. Review your financial policies and practices to determine if they are in compliance with state and federal laws.

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If you would like a sample of a generic financial policy, send an e-mail to [lisa\\_bilodeau@hotmail.com](mailto:lisa_bilodeau@hotmail.com) with "FP" in the subject line.

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