

When Patients Withhold Insurance Money

Kiki Herfert brings over 30 years of worldwide chiropractic experience to her columns, convention presentations, and management work.

"I just found out that a patient got a check from the insurance company that was supposed to come to me. She isn't coming in and says she doesn't have the money to pay me. She's acting like it's my problem with the insurance company! What now?" -- Dr. J.B.

The answer to this question depends a lot on whether you have clear, businesslike attitudes. It depends on being able to keep your "service hand" from overpowering your "business hand." I like to think my attitudes are clear, so this is what I think and what I would do in your situation. This kind of stuff makes me real crabby. Remember, what they've done is plain old stealing.

First, I'd go over all my paperwork to be sure I had no part in the error. Next, I'd call the insurance company and get through to a supervisor. I'd explain that I accepted assignment on the case, that they'd sent the check to me in the past, (one time, five times, whatever) and that they had created a serious problem through their error.

Get your complaint about their error on the record and tell them you want a new check issued to you. Point out that because of their error you may lose the patient, even though you know the patient is hardly likely to return to your care. People who steal from us have a hard time looking us in the eye, much less being a patient! Insist that they straighten out their mess with the patient. Don't expect the insurance company to fall to its knees, begging for forgiveness. It won't happen. Do not allow them to put you off while they "investigate." You want a replacement check, NOW!

Keep good records of whom you spoke to, when, and the outcome of the conversation. Send a certified letter, return receipt requested to the supervisor you spoke with, another to their department head, and another to their station/branch manager. If they won't tell you who they are, call back, smile and tell the receptionist that you can't remember the name of the person you were just talking to! Restate clearly and briefly in your letter the situation, and that you want a new check issued to you in five business days. Send copies of your Authorization to Pay Physician, and a copy of the claim you want the check for. You don't need to tell them what you will or won't do to the patient. At this point, your gripe is with them.

DON'T let the patient off the hook, and don't tell them you are trying to get the insurance company to reissue the check. Their fees and charges are still their responsibility. There's no guarantee the insurance company will come through. Tell the patient that you want their account cleared, paid in full in 10 days. You can accept Master Card, Visa, cash, check (no receipt until the check clears!) or any combination. I don't like any kind of payments in this kind of situation. They have already proven that when there is a choice between their interests and yours, they are going to ignore you.

You want this finished, period. You want your payment, NOW! If you start feeling sorry for the patient,

remind yourself that they stole your money! If you are successful in getting a check from the insurance company, return any overage, minus any other outstanding charges, to the patient.

If you don't get paid by either the insurance company or patient, immediately (that means within a day or two of the "10 days" you gave the patient), send the patient a certified letter, return receipt requested, notifying them that you are reporting the situation to a credit reporting agency like TRW, Equifax, etc. Name the date, usually in one week, and if this still brings no payment, DO IT. If this seems too extreme for you, then don't do it, but don't let me hear you complain about it, ever!

If you are willing, small claims court is a simple and effective final step. Get the details from your local district court. If you use small claims, you must use both the judgment and the lien/garnishment steps to actually get paid, assuming you win. Oh, and don't bother turning them in to collection or billing them yourself. If you've done all the steps I describe and they don't pay, you are just wasting your time. You're not going to get the money. Get over it.

There are only a few circumstances that might make me change my mind or soften my position. If the patient were a member of a large group of paying patients, I might mention to key family members: "I've had a serious financial disagreement with Mazie. I hope it doesn't affect our relationship." No details, just a regretful acknowledgement. If Mazie is known to do things like this, they'll understand. If she isn't, maybe they'll talk with her or offer to help. It can't hurt. I know this is in the grey area of the doctor/patient relationship, but I still feel that I'd say what I suggest, but nothing more.

If Mazie were the best little referrer in the world of upstanding, paying new patients, I might look at this a little differently, maybe. But unless the patient was always a money problem, and this wasn't totally unexpected, I find it hard to believe that she is going to continue to refer. Stealing from you sort or wipes out any "warm fuzzies" she might have.

These are the cases we all hate. Even if there is no perfect way to handle them, we need to have a clear cut policy and procedure. If we don't, patients and insurance companies will "smell it." Staff will be "mushy" when discussing payment and insurance/patient responsibilities for fees. We can always alter our policy, if the facts really indicate that we need to. I know that I tend to have a tough attitude, but I see too many doctors more concerned about the patients who abuse them than they are about themselves and the financial future of their families. When prevention and good procedure fails, we have to look at the cold, hard facts. Then our "business hand" needs to take control and make sensible decisions for us.

Your response to my "10 visit plan" offer was wonderful! If you didn't receive yours, then you were one of the people who didn't send an address, envelope, postage or all of the above. Everyone else should have theirs. Thank you for your kind comments and "gifts." I'm glad you like the column!

If you have suggestions or questions for future columns, or are interested in information about speaking engagements, please contact me at the address and phone below.

Keep on keeping on.

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