

Infusion Therapy, Implants, Implantable Devices & More Infusion Therapy, Implants, Implantable Devices & More

Are You Struggling With the Outrageous Charges for Infusion Therapy, Implants, Implantable Devices & More? You Are Not Alone!

What Types of Items Are We Talking About?

- Infusion Therapy, Including:
 - Chemotherapy
 - Antibiotics

What Types of Items Are We Talking About?

- Infusion Therapy, Including:
 - Treatment of Auto-Immune Diseases, Including:
 - HIV/AIDS
 - Lupus
 - Multiple Sclerosis
 - Lyme Disease
 - Rheumatoid Arthritis
 - Dialysis and Associated Treatment, Including:
 - Epogen
 - Procrit

What Types of Items Are We Talking About?

- Implants, Implantable Devices and Material, Including:
 - Defibrillators
 - Pace Makers
 - Stents

- Rods
- Screws
- Pins

What Types of Items Are We Talking About?

- Implants, Implantable Devices and Material, Including:
 - Bone, Including:
 - Cadaver
 - Synthetic
 - Cages
 - Hearing Devices
 - Pain Control

What Are The Issues?

- Billing at Inflated Charges

- Providers Threatening to Pull the PPO Discount
- Were Billed Items Used?

What Are The Issues?

- Are Providers of Care Receiving “Kickbacks”?
 - Orthopaedic Surgeons Received “Consulting Fees” for Particular Implants Provided by:
 - Zimmer
 - DePuy Orthopaedics
 - Biomet
 - Smith & Nephew
 - Stryker Orthopaedics

What Are The Issues?

- Medical Necessity
- Experimental and/or Investigational
- Unbundling

- Third Party Liability
- Work Related

What Are The Issues?

- Complications of Non-Covered Treatment, if Plan/Policy Excludes
- Waiver of Co-Pay/Deductible
- Balance Billing the Patient
- Stop Loss

What Are The Solutions? Audit, Audit & Audit

- Quantifying the Costs
 - Obtain Itemized Bill
 - Identify Charges in Question
 - Request the Actual Invoice
 - Determine “Shelf Life”
 - Obtain the List Price

Audit, Audit & Audit

- Verifying Items Billed Were Provided
 - Obtain Necessary Records, Including:
 - Operative/Procedure Reports
 - OR Operative Record
 - Progress Notes
 - Admission History & Physical
 - Discharge Summary

Audit, Audit & Audit

- If Records Do Not Confirm or Disaffirm Usage, Perform the Following:
 - Contact Surgeon/Practitioner:
 - Send an Itemized List of Equipment, Implants, etc., in Question

- Have Surgeon/Practitioner Verify What Was *Used* and How/Where They Were Used
- Request That They Sign-Off, Date and Return

Audit, Audit & Audit

Locate Supplier/Manufacturer

- Identify Name of Company Through Records
- Google Supplier/Manufacturer
- Search Internet Web-Site
 - Equipment
 - Pricing
 - Are Providers of Care Receiving “Kickbacks”?

Kickbacks

- Federal Investigation Revealed Orthopaedic Surgeons Received “Consulting Fees” for Hip and Knee Implants by 5 Implant Manufacturers
 - Stryker
 - Zimmer
 - Depuy Orthopaedics
 - Biomet
 - Smith & Nephew

Kickbacks

- These Implant Manufacturers Paid \$311 Million to Settle Anti-Kickback Statute
- These Implant Manufacturers Agreed to 18 Months of Federal Monitoring
- These Implant Manufacturers Must Post the Following on Their Web-Sites:
 - Names of Consultants
 - How Much They Were Paid

Kickbacks

- If Implants are Supplied by Any of These Providers, Check Web-Site to See if Surgeon's Name is Also Listed
- More Implant Manufacturers are Under Investigation, Including:
 - Exactech, Inc
 - Wright Medical Group

Audit, Audit & Audit

- Locate Supplier/Manufacturer
- Contact Supplier and Inquire:
 - What Equipment (and Supplies) are Required for Procedure Performed
 - Brochures on Specific Equipment
 - Cost of Equipment (and Supplies)

Audit, Audit & Audit

- Determining Reasonable and Usual Reimbursement
 - AWP = "Ain't What's Paid"
 - Cost Plus Percentage
 - Comparable Equipment Cost
 - HCPCs Allowance

NOTE: In Order to Determine if a Discount is a True Savings—the Discount Must be Quantified!

Audit, Audit & Audit

- Evaluate Medical Necessity
 - Level of Care
 - Efficacious for Condition(s)
 - Check FDA's Web-Site to See if Approved for Condition(s)
 - Standard Protocol vs. Facilities' Protocol
 - Example: ER Billing for Intravenous Access Without Any Associated Charges for IV Fluids or Medications

Audit, Audit & Audit

- Review for Experimental and/or Investigational
 - Request Documentation of Scientific Literature From Practitioner
 - Request Documentation as Required by Plan/Policy
 - Check NIH's Web-Site on Clinical Trials

Audit, Audit & Audit

- Unbundling – Billing Ala Carte
- Upcoding – Billing for More Complex Than Rendered
 - Example: Allografts
Being Billed as “Cages”
- Third Party Liability
 - Recalls
 - Complications

Audit, Audit & Audit

- Work Related
- Complications of Non-Covered Treatment, if Plan/Policy Excludes
- Waiver of Co-Pay/Deductible
 - Contact Provider for Balance Due
 - Obtain Patient Ledger Statement
 - Contact Employee/Insured and Document What They Were Told Regarding Financial Responsibility

What Are The Solutions?

- Negotiate
 - Do Your “Homework” Before
 - What is Your “Range”
 - Speak to the Person Who Can Make the Decision
 - Obtain a Written Sign-Off, But Make Certain You or Client Can Uphold Their End

What Are The Solutions?

- Effective Case Management
- Plan Design
 - Require Copy of Invoice on Implants
 - Allow Invoice Plus Percentage for Reimbursement of Implants

What Are The Solutions?

- PPOs
 - Do They Carve Out High Cost Charges for Implants?
 - If Not, What Are They Going to Do?
 - Provide the PPO With Your Facts and Figures
 - When Selecting PPOs, Specifically Address How They Handle These Challenging Repricings
 - When Was the Contract Last Negotiated?
 - In a Dispute, Carve Out the Questionable Items or
 - Allow Subject to Audit and Recovery

What Are The Solutions?

- Balance Billing Patient
 - Provide Patient With Full Information/Explanation to Keep Them in the Loop
 - Copies of Invoices
 - Copies of Billed Charges
- Network With Others in the Industry

Stop Loss Issues

- Plan Design
 - Add to Treaties
 - Plan is Reinsured, Not Contracts
- NOTE: Caution! You Must Do What You Say!
- Communicate with Your Administrators Your Recommendations Via:
 - Newsletters
 - Educational Workshops
 - Suggestion: Hire an Outside Speaker (Not So Subtle Hint!)
 - On-Site or Off-Site Meetings

Stop Loss Issues

- As a Payer Keep Your Stop Loss Carrier and Reinsurer Informed of:
 - Potential Stop Loss Claim
 - Any Delay in Payment, Due to This Issue
 - Losing PPO Discount
 - Request for Time Extension, if Necessary

What Are The Solutions?

- Advise of ERISA Rights and Deny on All Bases