

THREE THINGS EVERY PHYSICIAN MUST STOP DOING - RIGHT NOW

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From an admittedly pro-physician, overly “doctor-protective” and openly biased perspective, there has never been a greater need for all physicians throughout the United States to immediately increase their healthy paranoia, eliminate any residual trust they may have had in their state and federal governments, and become completely and relentlessly self-protective. Let me say it directly - No investigator from any office of the federal or state government visits a physician to “help” them, “educate” them or simply “chat” with them. No request for medical records is benign, academic or routine. What is even more disturbing than the use of these deceptions, however, is that physicians continue to fail to recognize them as deceptions and, to make matters worse, blindly cooperate in (and many times, enable) their own destruction.

So, while there are certainly more, here are the three things every physician can, should and must stop doing right now:

1. **STOP TALKING TO INVESTIGATORS:** Any investigator, from any entity and/or agency, is specifically and vigorously trained to deceive the person being investigated. Deceive them into lowering their guard, deceive them into thinking the investigator and/or investigation is harmless, and deceive them into believing that the target will be treated more harshly if they do not speak with the investigator. All of these deceptions are bald-faced lies, nothing more. No investigator is granted a raise, given a promotion or advances their career by announcing that he or she has exonerated the target. Physicians have a duty to cooperate in an investigation but doing so alone, without obtaining all of the information that can be obtained, without proper preparation, and without the protection and guidance of experienced health law counsel, is professional suicide and must stop today.
2. **STOP IGNORING YOUR LEGAL OBLIGATIONS:** Frankly stated, many physicians and medical practices are enabling their enemies (and those enemies are aware of the opportunity) to harm them. Like it or not. Agree with it or not. Find it to be counter to your ability to focus on patient care. You must acknowledge that there are very specific rules that govern you and your practice.

To remain “deliberately ignorant” (a term created to prosecute physicians) of these rules not only fails to protect you, it increases your liability, and the severity of the resulting damage/punishment. As but one example, every “payor” in the United States (Medicare, Medicaid, private health plans, union plans, etc.) publishes specific rules on what a physician must do and must provide in order to get paid. Yet most practices remain defiant in refusing to seek out these rules, incorporate them into their practice methods, and comply with their requirements. As a result (bearing in mind, the payors are well aware of this defiance and resulting deficiency), the payors audit the physicians, readily identify violations (whether intended violations or not), and easily demand and obtain monies back from the physician (even though the physician provided the service they billed for) Once again, this must stop today.

- 3. STOP TAKING LESS THAN WHAT YOU ARE ENTITLED TO:** There is virtually no other profession or business in this country that provides a critical service to the public, does it at an incredibly high level of success and sophistication, and yet fails to get paid for the services they’ve provided. That is, however, exactly the current state of most medical practices. Throughout medicine, contracted rates are ignored (or unknown), unpaid bills go uncollected, reduced payments are accepted without challenge or explanation, and co-pays and deductibles are ignored or not acted upon. No physician should accept less than 100% of the monies due them for their services, regardless of the debtor or payor. However, the first step in doing so is for every physician to KNOW the amount to which they are entitled. Every physician and/or medical practice should have the current fee schedule for each payor with which they deal readily available to their staff for cross-checking and payment audits. Accepting the hard reality that virtually everyone who obtains medical care tries very hard not to pay for it is the first step for physicians in getting paid for the services they render. Accepting less than every penny physicians are entitled to must stop today.

Unfortunately, there are many other pro-active, self-protective and positive measures that physicians and medical practices should undertake. However, these are the foundational first three. Taking these three steps will help insure that physicians will no longer enable their enemies, do no harm to themselves financially, and actually see an increase in reimbursement. Certainly such results (counter to every aspect of the current culture of medicine) are worth pursuing – today.

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