

# Recovery & Resolution

A LEGAL NEWSLETTER FOR  
HEALTH CARE PROFESSIONALS



Graham Lundberg & Peschel *Founded 1979*

## The Reduction of Patient Account Balances

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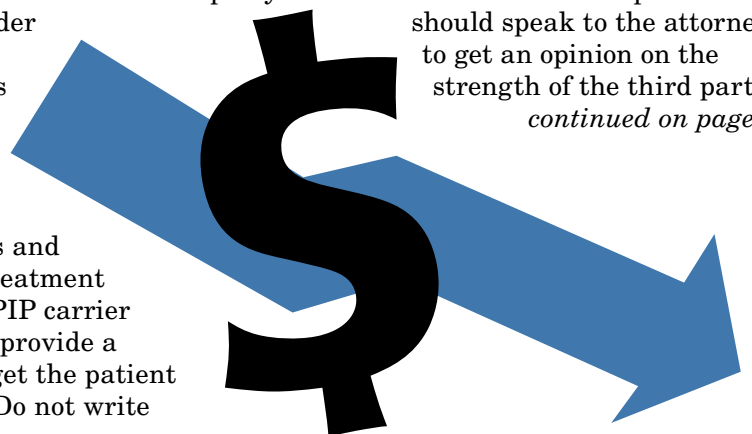
**W**ith the recent plunge of the world financial markets and present economic uncertainty, it is important to handle the collection of a patient's account balance competently and efficiently. For health care providers that treat patients injured in traumatic accidents this means having a good understanding of the intricacies of insurance billing practices. It also means that it is more important than ever to ensure the insurer receives the documentation required to timely process and pay the patient's bill, thereby keeping the health care provider's cash flow arriving in the door. Here are a few basic reminders:

First, remember that first party PIP benefits are primary and should be set up immediately. Do not bill health insurance. The PIP application needs to be filled out and sent in with signed authorizations before the PIP carrier will even consider making a payment. Have your patient provide you with copies of these documents. Once this step has been completed, you should bill PIP at least once a month and send in copies of your corresponding chart notes and treatment plan. If you get a treatment plan update request from the PIP carrier immediately respond to it and provide a logical plan for attempting to get the patient back to pre accident recovery. Do not write

"Release when fixed and stable" as this could prompt a PIP IME.

Second, use a patient's health insurance as a secondary billing source once PIP has been exhausted or a lack of PIP coverage has been confirmed. Be aware that health insurance will not process the bills until it receives a copy of the PIP denial or exhaustion letter. Your office manager should be familiar with the health insurance guidelines for payment of your clinics treatment modalities.

Third, if first party insurance benefits do not exist or have been exhausted, do not treat a patient unless you have filed and perfected a medical lien. You should also take steps to ensure your client has a reputable personal injury attorney who will work with your practice to ensure that your patient's bill can be fully satisfied out of a third party settlement. The healthcare provider should speak to the attorney to get an opinion on the strength of the third party  
*continued on page 2*



*Keep an eye on upcoming issues of this newsletter for information on our complimentary...*

**Educational Seminars**

# The Ins and Outs of Medical Records/Bill Requests

This article will discuss the role record and bill requests play in a personal injury case and what you can do to facilitate such requests on behalf of your patients. Medical records and bills generated by the health care providers constitute the bulk of evidence in most personal injury cases.

## The Timing of Record and Bill Requests

Generally, record and bill requests are sent to health care providers from the patient's attorney at or near the time the patient has reached maximum medical improvement and has been released from treatment. This approach avoids repeated records requests which take time from your staff in copying, and which avoid multiple copy charges that are billed to your patient's personal injury case.

## The Types of Requests from Attorneys

Most records requests in a personal injury case come from the patient's attorney. These will be requests directly from the attorney's office and should be accompanied by a HIPAA compliant medical authorization. Make sure to review the records request to see what is being requested. Sometimes all records and bills (including any pre-accident records) may be requested. Other times only records and bills after a certain date are requested. Still other times only bills may be requested.

Some requests may come from medical record copying services. This generally occurs with cases in litigation and by Stipulation between the plaintiff (your pa-



tient) and the defendant(s) (the wrongdoer). These requests should be accompanied by a HIPAA compliant medical authorization. These requests may also come with a Questionnaire or Declaration to be filled out by the person making the copies verifying that all records/bills have been produced and that such records

and bills are kept in the normal course and scope of business.

## What Attorneys Do with Records and Bills Obtained

Records and bills are almost always organized, summarized and  
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## The Reduction of Patient Account Balances, continued from page 1

claim. Are there good facts that support liability on the adverse party? Is there adequate third party insurance coverage? How likely is the third party insurance carrier to dispute the reasonableness and necessity of the patient's treatment and resulting charges? If the answers to these questions are not favorable, you should consider obtaining cash payments from the patient.

Lastly, we highly recommend that each health care provider immediately review each of its patients' accounts to determine if the proper insurance billing practices are being followed to ensure timely collection of account balances. As always, Graham Lundberg & Peschel is available to assist you and your patients with issues and help ensure the best possible outcome.



## The Ins and Outs of Medical Records/ Bill Requests, continued from page 2

provided to third party insurance carriers in the form of a settlement demand once your patient has been released from treatment. Complete and accurate records and bills ensure that your patient's attorney can timely attempt to negotiate a fair and reasonable settlement. If it turns out that records and bills are missing or incomplete, this can slow the settlement process.

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## Medical Records Spotlight

**G**raham Lundberg & Peschel are fortunate to have as part of the North Sound team Martha McDonald and Ana Maria Gameros, who make up the North Sound Medical Records Department. These women have the tremendous responsibility of requesting and organizing all of the medical records for our clients.

The Department is lead by Ms. McDonald who has been with GLP for 7 years. After all that time she has become quite familiar with most of the medical records clerks at your offices.

When Ms. McDonald is not taking care of clients' records, she enjoys spending time with her large family and shopping. A little over a year ago, Ms. Gameros joined the firm after moving to Seattle from Phoenix, AZ. When not working at GLP, she is working on earning her BA in Communications at the University of Washington.

In litigated cases, records and bills are often submitted in evidence to be used at an arbitration hearing or trial. They are also frequently used as exhibits at depositions of the Plaintiff and his or her health care providers. Health-care records and bills provide a good history of an injury claim and often will memorialize a patient's progress with care. Make sure the records produced are complete so that your patient and his or her attorney can succeed in presenting the personal injury claim against the wrongdoer.

### What Can a Provider Charge for Searching and Duplicating Medical Records?

RCW 70.02.010(15) allows medical providers to charge fees for searching and duplicating medical records. The fees a provider may charge cannot exceed the fees listed below:

#### Copying charge per page:

No more than ninety-six cents per page for the first thirty pages;

No more than seventy-three cents per page for all other pages.

#### Additional charges:

The provider can charge a twenty-two dollar clerical fee for searching and handling records;

If the provider personally edits confidential information from the record, as may be required by statute, the provider can charge the usual fee for a basic office visit.

These charges are effective July 1, 2007 through June 30, 2009.

If you or your staff has questions about medical record and bill requests, call one of the attorneys at Graham Lundberg & Peschel.

## UPCOMING 2009 EDUCATIONAL SEMINARS

Graham Lundberg & Peschel welcomes you and your office staff to attend a **FREE** Educational Seminar throughout 2009. Mark your Calendars!

### 2009 Topics will be:

- **Top 10 Do's and Don't's in a Personal Injury Case**
- **PIP Audits and the Insurance Fair Conduct Act**
- **Impairment Ratings and the 6th Edition of the AMA Guides**
- **Understanding Medical Liens**

**Look for the registration form for our first seminar series in the next issue of Recovery and Resolution.**

The 2009 Seminar Schedule will be available in January. Please check our website for details.

- All Seminars: 12:30 – 2:00 pm
- Complimentary Lunch Will Be Served
- Doctors of Chiropractic, Massage Therapists, and Physical Therapists will earn 1.5 CE credits
- Registration is limited to four attendees per office





**W**e are a team of legal professionals working together to advocate for the injured while being recognized in the community for providing the highest level of service.

**CONVENIENTLY LOCATED**

For the convenience of your personal injury patients, we offer several meeting locations throughout Puget Sound and Peninsula communities. Attorney consultations are encouraged and always free.

- Auburn** . . . . . 253-931-1111
- Bellevue** . . . . . 425-827-1111
- Burien** . . . . . 206-241-1708
- Everett** . . . . . 425-252-1111
- Federal Way** . . . 253-946-1111
- Gig Harbor** . . . . 253-853-5005
- Lacey** . . . . . 800-273-5005
- Lakewood** . . . . . 253-274-1111
- Lynnwood** . . . . . 425-775-1111
- Marysville** . . . . . 360-658-1111
- Mount Vernon** . . 800-422-4610
- Port Orchard** . . 360-876-5005
- Puyallup** . . . . . 253-845-1112
- Renton** . . . . . 425-235-1111
- Seattle** . . . . . 206-448-1992
- Silverdale** . . . . . 360-876-5005
- Tacoma** . . . . . 253-627-7701

*Or Call Toll Free*

North Puget Sound area including Island, Skagit, King, Whatcom & Snohomish Counties  
**800-422-4610**

South Puget Sound area including Pierce, Kitsap, Mason & Thurston Counties  
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- Maya Jenkins
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- Linda Kush
- Martha McDonald
- Ashley Pearson
- Liz Roderick
- Grace Stephens
- Curtis Williams

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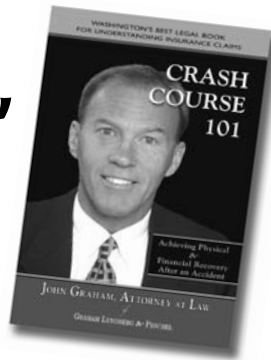
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**We Rewrote the Book!**

**“Crash Course 101”**

**The 4th Edition of  
“Crash Course” is Here!**

**by John Graham, Attorney at Law**



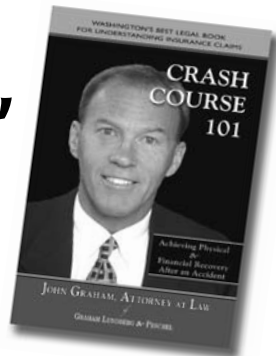
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**We Rewrote the Book!**  
**“Crash Course 101”**  
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**by John Graham, Attorney at Law**



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***We Provide the Highest Level of Service.***

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