



# The Dangers of Billing Under Another Provider

By: Dr. Ray Foxworth | Medical Compliance Specialist and President of ChiroHealthUSA

## The Dangers of Billing Under Another Provider's NPI Number

Recently, in a Facebook group, the question arose about whether it was okay for the associate doctor in a practice to bill for services under the owner's NPI number. The range of responses surprised me and made me aware that many providers largely misunderstand the rules and regulations regarding billing. Medical billing is a crucial aspect of healthcare administration, ensuring that healthcare providers receive proper reimbursement for their services and avoid potential billing fraud.

## The Dangers of Billing Under Another Provider's NPI Number

**Fraud and Misrepresentation:** One of the primary dangers of billing under another provider's NPI number is the potential for fraud and misrepresentation. When an individual or organization uses a different NPI number to bill for services, they misrepresent themselves as the provider. This can lead to wrongful reimbursement claims, inflated bills, and ultimately defraud insurance companies, government programs, and patients.

Legal Consequences: Billing under another provider's NPI number is unethical and illegal. The False Claims Act and Anti-Kickback Statute, among other healthcare fraud laws, explicitly prohibit fraudulent billing practices. Those caught engaging in such activities can face severe legal consequences, including fines, imprisonment, and the loss of their professional licenses. On October 24, 2023, after its self-disclosed conduct to OIG, VIZIA Diagnostics, LLC f/k/a Robert S. Smith, Inc. (VIZIA), Georgia, agreed to pay \$701,209.50 for allegedly violating the Civil Monetary Penalties Law. OIG alleged that VIZIA submitted false claims to Federal health care programs for pathology laboratory services using a physician's name and NPI number who did not furnish the services. (OIG, 2023)

**Damage to Reputation:** Healthcare providers work diligently to build trust with their patients and communities. Billing under another provider's NPI number not only jeopardizes the financial

integrity of healthcare systems but also damages the reputation of the legitimate provider. Patients may lose trust in the healthcare system if they discover fraudulent billing practices, which can ultimately deter them from seeking necessary medical care.

Erosion of Data Accuracy: Accurate billing is essential for tracking healthcare services and outcomes and making informed decisions regarding patient care. Billing under another provider's NPI number can disrupt the accuracy of healthcare data, making it challenging to assess the effectiveness of treatments, identify patterns, and allocate resources appropriately. This erosion of data accuracy can ultimately compromise the quality of healthcare delivery.

Continued on page 3...

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## President's Message



Greetings from beautiful Calvert County.

I hope everyone is off to a fantastic start as we settle into 2024

In my first President's letter, I challenged all the members of the MCA to find and recruit at least one new member. I promised that I would do my best to lead by example. So far, I've recruited one new doctor to join the MCA. During a conversation with another colleague of mine, I asked him if he was a member of the Maryland Chiropractic Association. He responded that he was not. Hoping to

increase my numbers to two new recruits, I asked him why not. His response was "what does the Maryland Chiropractic Association do for me?" I thought to myself here is another opportunity to step up on my soapbox and deliver another "what have you done for me lately" speech. This is a little preaching to the choir since most of our readers are already members. I hope this encourages you to find new members.

By the time this letter is published in the MCA Journal, the Legislative Committee of the MCA will have met three times with our lobbyist to review and discuss proposed bills that are going through the different legislative committees in Annapolis. They will meet every Monday during Maryland's legislative session. An ad hoc Committee on developing a chiropractic assistant x-ray privileges course will have met three times. They will meet at least once a month until the course is completed and launched. The MCA Board's Executive Committee has met to discuss the path the MCA will take and the finances of developing the chiropractic assistant x-ray privileges course. The MCA sent representatives to Washington DC in mid-January to speak with the state's Senate and Congressional offices during the ACAs Engage event, which was formally known as the National Chiropractic Legislative Conference. One of the major topics was Medicare equality. The MCA was there to make sure your voice is heard. All this has happened in just the first month of the year.

What does the Maryland Chiropractic Association do for me? The short answer is, the Maryland Chiropractic Association protects you, the practitioner and your scope of practice. The Maryland Chiropractic Association provides continuing education, including the hours required by the state for diversity, jurisprudence, infectious disease, and risk management. As a member, you have access to an attorney for a free 15 minute consultation. These are just a few of the benefits.

The MCA sends a representative to the Maryland Board of Chiropractic Examiners board meetings. The MCA has a PAC that meets with state legislators. The PAC determines which legislators have the best interest of the profession in mind and which legislators to support.

Most of this work is done by 12 to 14 practicing chiropractors. Most of these 12 to 14 doctors have been involved with the MCA board for as long as I can remember. They put in the time and energy so the rest of the profession can go about their days without worrying. The MCA is supported by the annual dues from its members. The work we do in Annapolis and Washington DC is supported by the PAC. Simply put, the more members we have more programs we can provide. The more members we have enables us to put on better programs. The more contributions we have to the PAC, the stronger our influence is on Capitol Hill.

So once again, I challenge members of the MCA and the nonmembers practicing here in Maryland to step up and support the profession. As I write this letter, I hear the voice of John F. Kennedy in my head saying his famous quote, "Ask not what your country can do for you – ask what you can do for your country."

The MCA does a lot for you. The MCA needs your support. The PAC needs your support. So, in my best JFK impersonation I'll borrow his quote and state...Ask not what the MCA can do for you – ask what you can do for your MCA," (thanks Mr. Kennedy).

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Continued from page 2...

Do what you can. Find new members. If you can't do that, contribute to the PAC or increase your membership to a higher level of membership. If you come across someone that says they would like to be a member, but can't afford the cost of membership, ask them to make a small contribution to the PAC or remind them that it costs about one adjustment a month to cover the cost of a basic membership.

I wouldn't ask you to do something that I would not do myself. I promised to lead by example. I'm looking for new members. I've more than doubled my PAC contributions and I maintain a Platinum DC level membership. I challenge you to do the same.

For those who accept this challenge, I thank you in advance for what you do for the MCA.

Mike Fedorczyk, DC MCA President

## The Dangers of Billing Under Another Provider continued...

However, the government generally permits one provider's services to be billed under the name and NPI of another provider in two circumstances: first, where the services of auxiliary personnel (including both physicians and non-physician practitioners) are billed "incident to" the professional services of a physician, second, where the services of a substitute physician are billed under the regular, but unavailable, physician's name and NPI temporarily ("locum tenens" and "reciprocal billing" arrangements). The "incident to" billing rules have strict requirements and only apply to certain services. Failure to strictly comply with the requirements for each billing arrangement could subject providers to significant liability under the False Claims Act. (Shah, Esq & Swain, 2022)

Billing under another provider's NPI number is a practice that undermines the integrity of the healthcare system, jeopardizes patient trust, and poses legal and financial risks. Healthcare professionals must be diligent in detecting and preventing such fraudulent activities. By upholding ethical billing practices and maintaining the integrity of the NPI system, we can ensure that healthcare resources are used efficiently and transparently, ultimately benefiting patients and the entire healthcare community.

Dr. Ray Foxworth is a certified Medical Compliance Specialist and President of ChiroHealthUSA. You can contact Dr. Foxworth at info@ chirohealthusa.com or visit www.chirohealthusa.com.



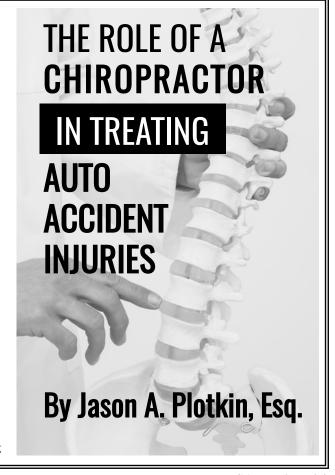
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# THE PRACTICE EXPERIENCE YOU PROVIDE

By Robert Frieman, DC

Whether you are new in practice or have been a chiropractic physician for decades you provide your patients a certain experience when they come into your office. That patient experience is what I'm going to ask you to really take a few minutes to look at and think about as you read this article.

Certainly in today's world, the initial interaction a potential new patient has with your office usually occurs long before they actually walk into our office. Sometimes it's a drive by, and they see the location or more often it's a visit to your website or some other social media exposure. But, for the purpose of this article we are going to focus on the actual physical experience your patient has with and at your office. The experience occurs from the first time they walk into the office to the time they check out at your front desk. That is how they form an everlasting opinion of your business and the chiropractic profession at large. I'm sure at some point you thought about at least some of the key points that go into a great patient experience, but when was the last time you actually stopped and looked at your office from the viewpoint of a patient, a person who is a customer of your business.

As humans we experience the world with our 5 physical senses. We know our patients come to the office for an adjustment, or a treatment, but what they are really purchasing is the full experience. Let's take it out of the chiropractic office for a minute and let's suppose you want a cup of coffee. You could grab a cup from the local gas station. It's fast, easy and cheap.

You could stop at a 7/11 or go to a Starbucks. In each of these the result is the same; you acquire a cup of coffee, but the coffee itself and the total experience of 'getting a coffee' is very different.

Now, let's step back into your office. What is the total experience like for your patients? From the lighting and the color on the walls, to-the music that is playing and the "clutter factor" - all of these things change the feeling of the office and the patient experience.

Here's an idea, go through your office and sit down in each chair a patient may be asked to sit in. While you're at it, use each piece of therapy equipment and lay on each table (especially supine). Sure, I want you to feel the chair and how the table is supporting you, but more importantly, what do your other senses tell you? What do you see, hear and smell? Is the fabric torn or is the chair broken in some way? As you look up, are the ventilation vents over the tables clean or are they stained with years of dust? Does the music match the mood and vibration of your office for the patients you are seeing? Here's an idea, maybe you need to change the music based on their time of day. For the Medicare crowd in the morning play the 'Sinatra' channel and for the mom and kids after school play something more upbeat.

The point here is to make a conscious decision about the type of experience you want for your patients, because in truth they are not just patients they are YOUR customers. Stop and look at your office with a truly critical objective eye and then decide what you want your patients, your customers thinking and saying about your office.

Robert Frieman D.C. is a long time MCA member and past association president. He has also served our profession as member and past president of the Maryland state licensing board. In addition to practicing, he has been an invited seminar speaker and practice coach. He is now the host of the podcast For the Love of Chiropractic available on all major podcast platforms.



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# WANT AN EASY WAY TO IMPROVE YOUR PRACTICE?

By: Robert Frieman, DC

The average chiropractor will practice for 10 - 40 years. While this is a wide range, all practitioners share certain issues they must deal with as they balance providing healthcare and running a business. These issues range from hiring / training / firing staff to studying some of the deepest mysteries of the human body's ability to heal, and everything in between. The process is time consuming, can be frustrating, yet we all continue to push forward.

Here's the good news. There is now an easy solution designed to help the practitioner to solve practice issues from a nationally recognized expert in the field.

The solution is a weekly podcast called 'For the Love of Chiropractic'.

Each 20 min episode is devoted to one aspect of practice that you may have struggled with for years or perhaps something that you've never considered but actually could be critically important to creating a better practice filled with wonderful patients. The content is designed to be both thought provoking while still giving concrete, easy to follow solutions, to help you improve your practice where you want it to go and grow.

The internationally recognized podcast is the brainchild of one of our own members, Dr. Robert Frieman, who has spent decades improving and simplifying the mechanics and subtle nuances of great practice. Dr. Frieman, has taught for multiple seminar companies and been an invited speaker at some of the largest conferences in our profession. The podcast is available on all major platforms including Apple Podcasts, Spotify as well as many others.

So, why should you listen?

- For a better practice
- For a better life
- For the love of Chiropractic.

Click the HERE or scan the QR code to go to the show.



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The 2024 legislative session is now underway. There are no legislators' fundraisers to attend during the session but the legislative committee has been busy. The goal of CPAC is to support legislators that have supported the chiropractic in Maryland and to work to educate and influence those legislators to have not yet supported us to do so in the future. CPAC provides opportunities for us to meet legislators and for them to get to know who we are and what we do. We need to educate them about what the needs our patients and our profession. To do this we need your contributions and your participation. Please consider making annual contributions to the PAC. If each of us contributed we would be a very strong force in Annapolis. The PAC is non-partisan, so your participation is welcome regardless of your party preference. I thank all of you for your support of the PAC. If you are interested in attending some of these events, please let me know. Email me at nbcohen@comcast.net for details

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<sup>\*</sup>This list includes all donations between January 27, 2023 - January 27, 2024

# HOW LONG IS IT NECESSARY TO KEEP PATIENT RECORDS?

We all know, as a healthcare professional, we are responsible for creating, completing, and storing records for our patients. But how long do we need to keep those records and then what needs to be done with all those files?

Currently, Maryland state law requires health records to be kept for 5 years from the date the record was made. Is that the end of the story? No, federal law (HIPPA) requires healthcare records to be kept for a minimum of 6 years. Those numbers are for patients 18 years and over at the time they were under our care. Ok, great so is that the end of the story.... NOPE!

Well, for now it is. However, you should be aware of a proposed law before the Maryland general assembly to change the law to require records, for all healthcare providers, to be kept significantly longer. If passed, this new law may require you to keep all records for 10 years.

As a member of the Maryland Chiropractic Association, we wanted you to be amongst the first to know of the proposed changes that are being considered.

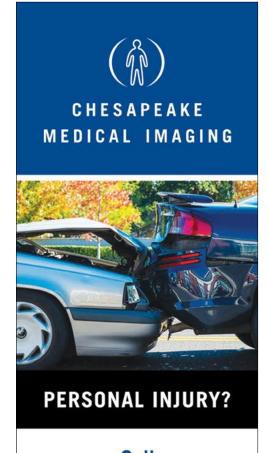
Personally, I don't like to keep records any longer than necessary, especially for patients that have been inactive for years. Therefore, this may be a great time for you to do some spring cleaning a bit early.

Obviously, you can't just throw them away. They need to be destroyed in such a way that there is no chance they could be read. Interestingly enough, our licensing board has stated the burning of records in a fire pit or fireplace is not an acceptable method of destroying records. Therefore, shredding is considered by many to be the best and recommended method to get rid of old protected information that is no longer needed.

Personally, as a 34 year Maryland practitioner and past licensing board member, I think you should get on this project sooner rather than later.

If the law does pass, it is scheduled to go into effect in October of 2024. On the other hand, assuming this law does pass, unamended, and you choose to not act now, don't stress about it because you'll have an extra 4 years to let those files sit around before you are allowed to begin the process.





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# American Medical Association Appoints Chiropractor to CPT Editorial Panel

American Chiropractic Association (ACA) member Leo Bronston, DC, MAppSc, of Onalaska, Wis., has been appointed by the American Medical Association (AMA) Board of Trustees to serve on the Current Procedural Terminology (CPT®) Editorial Panel. Dr. Bronston will be the first doctor of chiropractic to join the Panel.

The CPT Editorial Panel maintains the CPT code set, which is widely used across the healthcare industry to report procedures and services and to process claims. The panel is composed of 21 members, including representatives of 12 medical specialties and individuals representing groups such as the Blue Cross Blue Shield Association, America's Health Insurance Plans, the American Hospital Association, and private health insurance plans. Dr. Bronston was appointed to serve as one of two representatives from the CPT Health Care Professionals Advisory Committee (HCPAC).

"Dr. Bronston's appointment is a great honor and a testament to his many years of work and dedication to coding-related issues. It is also a proud and historic moment for the chiropractic profession to achieve representation on the CPT Editorial Panel," noted ACA President Michael Martin, DC. Dr. Bronston is a long-standing, highly respected member of ACA, serving the association and the chiropractic profession for more than 40 years in a variety of leadership roles. He has been a member of ACA's Board of Governors since 2019 and has distinguished himself for his work in the areas of coding and reimbursement and healthcare quality. In addition to serving as ACA's representative to HCPAC for more than a decade, he is chair of the ACA Health Policy and Advocacy Committee.

In his native Wisconsin, Dr. Bronston owns and operates a private practice in Onalaska, where he fosters a collaborative, multidisciplinary approach to patient care by integrating other healthcare professionals, such as physical therapists and nurse practitioners, into his practice. He also served on the Fulcrum Health board of directors, where he chaired the Quality Improvement Committee. He remains an active member of the Wisconsin Chiropractic Association.

The CPT Editorial Panel convenes meetings three times per year to solicit input from the field. Dr. Bronston's four-year appointment will begin immediately following the end of the Panel's February 2024 meeting.



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At a Public Hearing on May 31, 2019 titled, "Scientific Data and Information about Products Containing Cannabis or Cannabis-Derived Compounds" a pharmaceuticals expert testified as follows: "My principal chemistry issue with cannabidiol or CBD is that it's not stable. Everyone needs to understand it's not stable. It has a maximum temperature of about 25 degrees Celsius, which is 77 degrees Fahrenheit. Above that, it starts to break down or form other compounds. You can't store it cold because below 4 degrees Celsius, around 39 degrees Fahrenheit, you have other problems."

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Chiro Needed for Sports, PI, Wellness, and More! Elite Chiropractic & Sport is hiring! We are looking for an associate Chiropractor to join a busy, growing office in Columbia, Maryland. We incorporate adjusting, soft tissue, dry needling, and rehab. If you have any of those credentials, great! If not, we can train you and help get your certified. We offer competitive pay, 2 weeks paid vacation plus holidays, malpractice insurance, 401k with company match, health insurance, license renewal, a continuing education stipend, and disability insurance. Experienced chiros and new graduates are welcome to apply. Please contact drbross@elitechirosport.com with your resume if you are interested in discussing the position.

Office for sublease in Cockeysville Office suite with 4 offices, kitchenette, private powder room and large waiting area. 1, 2, 3, or 4 days per week rentals available as well as full time leases. Rent includes utilities, internet, housekeeping, printer, fax and copier use, kitchen and bathroom supplies. Would be sharing suite with mental health therapist. Please call Kelly at 410 494-0085.

IMMEDIATE ASSOCIATE POSITION AVAILABLE Morrison Chiropractic Immediate Associate position available at Morrison Chiropractic, Ellicott City. Join our award-winning practice, serving Central MD for 35 years. The successful candidate will possess strong communication skills, a desire to educate patients and professionals, demonstrate excellent critical thinking, manual therapy, and rehab skills. Dry Needling a plus. General chiropractic with focus on rehab, manual therapy, wellness. Acupuncture and massage on site. Solid medical/health/fitness professional referral base. Extensive community involvement on various boards and committees. Offering competitive compensation, malpractice and health insurance, continuing education stipend and bonus opportunities for the associate that consistently develops their practice. Buy-in opportunity exists. Send resume to brian.morrisonchiro@gmail.com.



Portable Localized Cryotherapy For Sale Cryo-T Elephant is the most well know portable cryotherapy machine on the market. It's a great tool to reduce acute and chronic inflammation. In our office we found it very effective in treating symptoms of Arthritis, Fibromyalgia, Tendonitis, and psoriasis. For inquiries please contact matt.bayareawellnessgroup@gmail.com.

Chiropractor Wanted Bay Area Wellness Chiropractic in Crofton, MD is looking for a Chiropractor. Offering a competitive base salary with bonus opportunity. Paid medical/dental vision coverage. Interested applicants please send cv to matt. bayareawellnessgroup@gmail.com.

Office Closing. Equipment for sale. 2 tables. 2 E-stim. 2 Hydrocollators. Hill Labs Air Flex Deluxe with auto-cocking drops: C, T, L, P. Flexion-distraction. Elevation height range 21"-31". Gently used, excellent condition, well-maintained (with references). 6 y/o. Colonial blue finesse puncture-proof fabric. No longer manufactured by Hill. Hill Labs HA90C full drop table: Cervical tilt and elevation. Thoracic breakaway feature. Drop-away ankle section. Bought reconditioned. Like new. C,T, L, P auto-cocking drops. Colonial blue finesse puncture-proof fabric. Elevation range 21"-31". RIchMar E-stim/autosound combo 7.6 with hammer. RichMar WinnerEvo st2 E-stim. 2 channel. Stools with matching fabric to tables. Hydrocollators 2 and 5 gallon. Contact nicole.ganz1@gmail. com

Chiropractor Wanted Effective Integrative Healthcare and Effective Chiropractic are looking for a Chiropractor for the Lanham, MD, PG County and the Millersville, MD, Anne Arundel County offices. 3 1/2 days a week with every other Sat mornings, but custom schedules could be considered. Excellent base pay with easy bonuses. 401k, full medical/dental/vision coverage. Short and long term contracts available. www.eihmd.com. Contact Dr. Hardnett at 410-562-5858 and email cv to drhardnett@eihmd.com.

#### **Used Elite Pump Control Elevation Table - 1 Drop**

Elite Pump Control Elevation Table - 1 lumbar drop. Adjustable headpiece. Used and in excellent condition. Color - Navy. \$2000 Must be able to pick-up on-site. No delivery. (If needs to be delivered, must pay for shipping.) Please contact stephaniejohnsondc@gmail.

ISO Chiropractic Associate Virginia The Roselle Center for Healing has an immediate opening for a chiropractic associate. Work for the premier chiropractic integrative/wellness clinic in the mid-Atlantic area. Must have excellent adjusting and communication skills and a desire to work with other professionals in restoring patient health. Learn from the best in chiropractic, AK, functional neurology, Brimhall therapy are a plus. Salary, bonus, mal-practice, health insurance contribution, 401k and paid vacation. Send resume to: roselleeducation@gmail.com. Check us out at www.rosellecare.com

Board Certified Chiropractic Assistant Thrive Chiropractic Seeking a Licensed Chiropractic Assistant in Mt. Washington. Must be friendly, reliable, organized and enjoy kids. Hours are Mondays and Wednesday 8:30 to 2:30 and Tuesdays and Thursdays 12:30 to 6:30. \$18.00/hr to start, production bonus, paid holidays, paid continuing education and licensing fees, complimentary chiropractic care. To apply, please send your resume and cover letter to dr.d@thrivechiromaryland.com.

Associate Chiropractor Wanted Mid-Atlantic Spinal Rehab & Chiropractic is growing again! We are looking for an associate Chiropractor excited to help patients feel better and have fun while doing so. We offer competitive base salary, vacation time, malpractice insurance, 401k with company match, health insurance, license renewal, and a continuing education stipend. Bonus opportunity for associates that are interested in bringing in their own patients, but this is not required. Must be proficient with computers (chirotouch experience a plus) and have some experience with manual adjusting skills and taking x-rays. New graduates are welcome to apply. Please contact drgulitz@gmail.com or karen@midatlanticspinalrehab.com with your resume if you are interested in discussing the position.

Practice for Sale: Washington D.C. Metro Area, Vir Retiring doctor with very well-established practice looking for a new owner. Endless historical sites, food, fun & entertainment, and arts & culture. The clinic utilizes a variety of adjusting techniques and physiotherapy that can easily be taught to a willing doctor. Additional services include physical therapy and laser therapy. Patients primarily come in through referrals or advertising. 3-day-a week operation averaging 394 patient visits per month and collecting over \$46K monthly. \$371,100. For more details, please contact Practice Brokers, Inc. toll-free at 888-878-0027 or email info. practicebrokersinc@gmail.com. Please reference ad when inquiring.



Baltimore Area Associateship Chiropractic Wellness Center of Baltimore Come be a part of a great team while you become super confident in your patient management skills, your adjusting skills and how to run a successful high-volume practice. We're looking for an energetic, goal-oriented Chiropractor who's eager to learn. You'll learn the Pierce Results System and all the high-tech equipment like video fluoroscopy, digital x-rays and thermography. We love Chiropractic, our patients and our community. We need help with our mission" to help empower people to live healthy lives." We are a subluxation-based practice. Good base, excellent bonus system with true 6-figure potential, plus paid vacation, malpractice insurance. Contact: drjamie@drroeder.com

Looking for Associate Dr Life Care Chiropractic & Wellness Center We have an amazing opportunity for a great Associate at Life Care Chiropractic & Wellness Center located in beautiful Waldorf, MD. We are looking for a kind, compassionate, and positive Doctor who is ready to step into a busy practice and an already existing steady patient base. We help patients strive to live their lives at their fullest potential. We are one of the most established practices in Southern Maryland. Salary \$70,000 to \$125,000.00 /year. Send your resume to Dr. Ronda Sharman, info@lifecarechiropracticandwellness.com or call (301) 870-4277 about this opportunity! Visit https://lifecarechiropracticandwellness.com/ to learn more about us!

Associate Chiropractor Wanted MSI Integrative Healthcare Multi-site Integrative practice looking for an outstanding patient focused Doctor to step into the role of Associate Chiropractor with supervisory license and PT privilege's. Join our amazing team of professionals and utilize our cutting edge technology to help so many people! Benefits include Paid Time Off, Medical, Dental & Vision coverage, Employee Wellness Program, CEU reimbursement, 401K with employer match, etc. Email jperry@msiwc.com with your interest and resume. We look forward to hearing from you!

Associate Chiropractor / Full or Part Time Fantastic opportunity for a caring, motivated Chiropractor with PT/Supervisor privileges and positive energy/attitude for a full or part-time position. Very high pay, bonuses, paid vacation, health benefits, retirement accounts, paid continuing ed, malpractice, license fees and much more, plus possible future partnership buy-in/out. We look forward to meeting you! Please forward resume/CV to Dr.Scott.Rudick@gmail.com and/or call (301)385-2779

# Partners Pavilion

## Saluting MCA's 2023 Partners!

**GOLD** 

Foot Levelers, Inc.

Yolanda Davis

www.footlevelers.com

The Joint Chiropractic <a href="https://www.thejoint.com/">https://www.thejoint.com/</a>

Washington Open MRI washingtonopenmri.com

**BRONZE** 

Pinder Plotkins

Jason Plotkin, Esq.

www.PinderPlotkin.com

Chesapeake Medical Imaging <a href="https://www.cmirad.net/">https://www.cmirad.net/</a>