

THE HEARTBEAT OSCA NEWS LETTER

**LEAP DAY
EDITION**

FEB/MAR 2024

IN THIS ISSUE:

**OSCA GOLF OUTING
RETURNS FOR 2024**

LEGISLATIVE UPDATES
MEDICARE UPDATES

UPCOMING EVENTS FOR 2024

OHIO STATE CHIROPRACTIC ASSOCIATION

GOLF OUTING

Returns for 2024!

THURSDAY, MAY 9TH, 2024



AVALON GOLF & COUNTRY CLUB



Join us for a day of camaraderie and relaxation at the picturesque Avalon Golf & Country Club in Warren, Ohio! The Ohio State Chiropractic Association invites you, along with your family, to our upcoming golf outing. Whether you're a seasoned golfer or just looking to enjoy the beautiful scenery, this event promises fun for everyone.

Consider making it a weekend getaway and taking advantage of the recent upgrades to the facility. With amenities suitable for the whole family, it's the perfect opportunity to unwind and create lasting memories.

We look forward to seeing you on the green!



MAKE IT A WEEKEND GETAWAY OR FAMILY TRIP!

Rooms will be available at the group rate **until April 9th, 2024**. Guests are able to call our reservations line **(330-856-1900)** and mention the Ohio State Chiropractic Association room block to receive the negotiated rate.

TEAM FEE:
\$660 per team of 4
Includes greens fees, cart, one drink ticket per person, lunch at the turn, steak dinner at the end. [CLICK HERE](#)

GROUP ROOM RATES ARE AVAILABLE. REGISTER TODAY!





CORPORATE SPONSORSHIPS

OSCA GOLF OUTING / MAY 9, 2024

EVENT SPONSOR: \$2500 - Team entry included, hole flag, advertising in print and social media promotion, and premier signage at the event. Sponsor shoutout in three OSCA Heartbeat e-newsletters that are distributed monthly, statewide. Opportunity to set up a table, add freebies or info to registration bags, and address attendees at the start of the event.

DINNER SPONSOR: \$1500 - Team entry, advertising in print and social media promotion, and signage the event. Sponsor shoutout in two OSCA Heartbeat e-newsletters that are distributed monthly, statewide. Opportunity to set up a table, add freebies or info to registration bags, and address attendees at the dinner.

LUNCH SPONSOR: \$1000 - Advertising in print and social media promotion and signage at the event lunch area. Sponsor shoutout in one OSCA Heartbeat e-newsletter that is distributed monthly, statewide. Opportunity to set up a table and add freebies or info to registration bags.

EAGLE SPONSOR: \$750 - Signage at event, social media promotion, opportunity to set up a table and put freebies or info in registration bags.

BIRDIE SPONSOR: \$500 - Signage at event, social media promotion. Opportunity to put freebies or info in registration bags.

PAR SPONSOR: \$250 - Signage at event and social media promotion.

HOLE SPONSORS: \$100 Per hole - yard sign at the Tee Box.

**SCAN THE QR TO
BECOME A SPONSOR**



LEGAL Q AND A: IMPLEMENTING MISSED APPOINTMENT OR DEPOSIT FEES

Chiropractors, like other medical professionals, are trying to find new and creative ways to remediate missed patient appointments. Some chiropractors have turned to charging no-show/cancellation fees and deposit fees. While the type of fee differs, the fees have the same effect: disincentivizing patients from cancelling their chiropractic appointments last-minute, or worse, not showing up at all. This article analyzes the legality of both fee types, which is informed, in large part, by different payors' policies.

NO-SHOW/CANCELLATION FEES

A chiropractor is not precluded from charging a patient for a missed appointment. However, the legality of the charge will depend on the applicable payor.

MEDICAID: Ohio law does not allow providers to bill Medicaid beneficiaries for missed appointments. Specifically, OAC Rule 5160-1-13.1 states that providers should not collect nor bill a Medicaid recipient for any difference between the Medicaid payment and the provider's charge, nor shall the provider ask a Medicaid recipient to share in the cost through a deductible, coinsurance, co-payment, missed appointment fee or other similar charge.

MEDICARE: Since a charge for a missed appointment is not a "covered service," Medicare's assignment and limiting charge provisions apply. As a result, CMS's policy is to allow providers to charge Medicare beneficiaries for missed appointments, provided that they do not discriminate against Medicare beneficiaries and also charge non-Medicare patients for missed appointments. The charge for a missed appointment is considered a charge for the chiropractor's missed business opportunity. Therefore, as long as the chiropractor's missed appointment policy applies equally to all patients (Medicare and non-Medicare), then the Medicare law and regulations do not preclude the provider from charging the Medicare patient directly. CMS Pub. 100-04, Medicare Claims Processing Manual, Ch. 1, § 30.3.13. Further, no ABN is required for a missed appointment charge.

COMMERCIAL INSURERS: Commercial insurers generally follow Medicare payment policies, but it is important for chiropractors to consult their Provider Agreements for each insurer to determine whether they may charge beneficiaries no-show fees. Further, commercial insurers, like Medicare, will not reimburse providers for missed appointments so the charge is solely the patient's financial responsibility.

SELF-PAY: Self-pay patients may be charged a cancellation fee, provided that it is fair and reasonable, and communicated to them in writing in the practice's Financial Policy.

DEPOSIT FEES

Likewise, a chiropractor is not precluded from charging a patient a deposit fee. However, the legality of the fee will depend on the applicable payor.

MEDICAID: Ohio law does not allow providers to charge deposit fees to Medicaid beneficiaries. Specifically, under OAC Rule 5160-1-13.1, providers are prohibited from charging a Medicaid recipient a down payment (whether refundable or not).

MEDICARE/COMMERCIAL INSURERS: A deposit, like a no-show or cancellation fee, may not be billed to insurance companies or Medicare. The patient would be financially responsible for the deposit in full.



SELF-PAY: Self-pay patients may be charged a deposit that could apply to the total costs of their chiropractic treatment.

BEST PRACTICES FOR CHIROPRACTORS

NO-SHOW/CANCELLATION FEES

All chiropractors that wish to start implementing a missed-appointment fee should have a comprehensive Financial Policy in place before any patient is charged. The Financial Policy should be uniform, and applicable to all patients regardless of payor unless prohibited by law or contract. All patients should read and sign the Financial Policy to indicate their acceptance of its terms, including the requisite cancellation/no-show fees they may be charged. The Financial Policy should (1) advise patients that their insurer will not cover missed appointments or late cancellations because they are not covered services; (2) state that the patient's signature represents their consent to financial liability for missed or cancelled appointments; (3) explain that missed or cancelled appointment charges are reflective of a missed business opportunity; and (4) state the fee amount for the missed or cancelled appointment. The fee should be the same regardless of payor type and should reflect a missed business opportunity, not the full amount the chiropractor could have billed an insurer or self-pay patient for the appointment. Last, the Policy should provide for waiver of the fee in a set of limited circumstances, including a true emergency or if the patient gives ample notice that they may not be able to make their appointment (usually 24 to 48 hours).

DEPOSIT FEES

A chiropractor's Financial Policy should also include detailed provisions on patient responsibility for deposits. Before charging a deposit fee, patients should be provided with the Policy to review and sign. Generally, if patients will be responsible for any portion of their chiropractic care, they must always sign an agreement whereby they consent to financial responsibility. In the event that a deposit is taken for the first appointment, and before they are able to sign an agreement in person, it is imperative that the office notify the patient of the deposit policy over the phone before collecting a payment method. If the patient consents over the phone then the provider should make a note of that in the patient's record. The provider should get a written consent to the financial policy once the patient does come to the office for the first time as well.

The Policy should clearly state the deposit fee amount, applicable to all patients, regardless of their insurance coverage, unless prohibited. The Policy should also state that, if the patient maintains their appointment and is timely, then their deposit will be refunded after their appointment. No regulation directly prohibits the deposit fee from being applied to the cost of their visit (if they show up), but this would require the deposit to be subtracted from the patient's overall financial responsibility and would potentially complicate collection of the patient's copayment or coinsurance. Providers will want to be careful here because routine "waiver" of a patient's copayment responsibility (i.e., not charging them a copay) opens them up to liability for violations of federal and state fraud and abuse laws and can be considered a breach of their contracts with insurers. Conversely, if the patient misses their appointment, then they will lose their deposit, per the terms of the chiropractor's Policy. Again, all deposit fees should be uniformly charged to patients and the fee amounts should be clearly communicated, in writing, in the chiropractor's Financial Policy.

CONCLUSION

Practically speaking, the deposit and the missed appointment fees are trying to achieve the same purpose, but the missed appointment fee is much more common and less burdensome administratively. Chiropractors can achieve the goal of being paid for missed appointments by asking for a credit card number when the patient calls to schedule an appointment, but only charging the card when they've actually missed the appointment. That way, the chiropractor is paid in some way for the missed appointment, but without the complications of applying the pre-paid deposit against the patient's financial responsibility.





Last month, members of OSCA Leadership joined Doctors of Chiropractic and chiropractic students from across the state and country to lobby on Capitol Hill. Meetings focused on changes needed in Medicare to improve patient access and coverage of chiropractic services.

The Chiropractic Medicare Modernization Act (H.R.1610 and S.799) is bipartisan legislation that provides patient access to all Medicare-covered benefits allowable under a chiropractor's state license and appropriately defines a DC as a physician in the Medicare program.

Both bills have bi-partisan support and have surpassed the co-sponsors on previous versions of this legislation. Currently, H.R.1610 has 157 co-sponsors and S.799 has 11. Time is of the essence in moving the legislation forward as more co-sponsors are needed.

You can help! Members of Congress want to hear from their constituents on important issues. That's you, and your patients!

Using the campaigns on the OSCA action center, Doctors of Chiropractic and their patients can quickly and easily send an email to their members of Congress in just a matter of moments urging them to support this important legislation.

CLICK THIS LINK TO VISIT THE OSCA MEDICARE ADVOCACY PAGE:

Once there, you can scroll down to see the House and Senate campaigns. Click the link in each one.

The letter is already created within the campaign, and it will customize to your details. We also have a poster you can print and display in your office with a QR code to quickly and easily allow your patients to participate from their cell phones; as well as a newly added business card graphic to make handing out the campaign information more convenient.

All patients can participate, they don't have to currently be on Medicare. We know how important it is to modernize Medicare to improve coverage of the services we provide. But we must let our elected officials know. The time to act is now.

UPDATES ON STATE LEGISLATION - HB 141

HB 141, introduced in 2023 by Representatives LaRe and Robb-Blasdel, ensures that a patient's cost share to access conservative treatment options, including chiropractic services, are not greater than the patient's cost share to visit their PCP MD or DO.

In December 2023 the legislation passed the House floor and was subsequently introduced in the Senate. H.B. 141 was assigned to the Senate Insurance committee on January 24, 2024. The bill will require three committee hearings and committee vote before it can move to the Senate floor. The OSCA will continue to advocate for improved access to and coverage of the services rendered by Ohio's chiropractic physicians for all Ohioans.

UPCOMING EVENTS

 OHIO STATE
CHIROPRACTIC ASSOCIATION

LUNCH & LEARN SERIES



MAR 6 LOW BACK PAIN: THE VESTIBULAR SYSTEM AS THE MISSING LINK [CLICK TO REGISTER](#)

with Dr. Adam Harcourt

Low back pain and poor posture often coexist. The poor posture seen in lower back pain is thought to stem from impaired proprioception in the lower back and other spinal areas. Often overlooked by clinicians is the contribution of the vestibular system to the poor posture observed in low back pain. This webinar will teach you the connection between the vestibular system, poor posture, and low back pain. You will also learn simple exam procedures to identify if the vestibular system contributes to your patient's lower back pain and how to treat it.

SPONSORED BY



CARRICK INSTITUTE
CLINICAL NEUROSCIENCE AND REHABILITATION™

SCHEDULED FOR 2024
MORE EVENTS TO BE ADDED

2
MAR
**Neuromusculoskeletal
Medicine 10CES**
with Dr. Lehman

13
APRIL
**BEST PRACTICE MANAGEMENT
FOR RESOLVING NECK PAIN &
HEADACHES 8CES**
with Dr. Brandon Steele

20
MAR
**What you need to know in
2024 to stay compliant
5CES**
with Dr. Ty Talcott - Columbus

9
MAY
**2024 OSCA
GOLF OUTING**

21
MAR
**What you need to know
in 2024 to stay
compliant 5CES**
with Dr. Ty Talcott - Dayton

MAY 29 - JUNE 19
OHIO CA CERTIFICATION PROGRAM- LEVEL 3

21
MAR
**CHIROPRACTIC OFFICE
MANAGEMENT FOR THE
COMPLIANT OFFICE 6CES**
with Lisa Maciejewski-West

4-6
OCT
Havana Nights

OHIO CA CERTIFICATION PROGRAM LEVEL 3

MAY 29 - JUNE 19TH

LEVEL 3: OFFICE MANAGER

WHEN: ALL SESSIONS WILL TAKE PLACE VIA LIVE WEBINAR ON THE FOLLOWING DATES:

MAY 29 (3 HOURS) 12PM-3PM

JUNE 5 (3 HOURS) 12PM-3PM

JUNE 19 (2 HOURS) 12PM-2PM

FREE FOR OSCA MEMBERS

REGISTER NOW



MAR 2

NEUROMUSCULOSKELETAL MEDICINE

W. DR. LEHMAN

Join us for this 10 hour neuromusculoskeletal medicine program led by Dr. James Lehman! This program will include the following five areas: 1. Evidence-based practice 2. Statin Myopathy 3. Whiplash Associated Disorder 4. Chronic pain syndrome & Cervical Spondylotic Myelopathy 5. Cauda Equina Syndrome.

In addition to the 10 in-person hours, OSCA members attending this event will receive access to 10 FREE online learning hours directly through University of Bridgeport.

[CLICK HERE TO REGISTER](#)

ABOUT THE INSTRUCTOR:

Dr. James Lehman

Dr. Lehman is an Associate Professor of Clinical Sciences at the University of Bridgeport/College of Chiropractic and Director of Health Sciences Postgraduate Education (HSPED). James completed his MBA at the University of New Mexico and doctorate in chiropractic medicine at the Logan College of Chiropractic in St. Louis, Missouri.

James is a board-certified, chiropractic orthopedist. He teaches orthopedic and neurological examination and differential diagnosis of neuromusculoskeletal conditions. In addition, he provides clinical rotations for fourth-year chiropractic students and chiropractic residents in the community health center and a sports medicine rotation in the training facility of the local professional baseball team.

As Director of HSPED, Dr. Lehman developed the three-year, full-time resident training program in chiropractic orthopedics and neuromusculoskeletal medicine. The program offers training within primary care facilities of a Federally Qualified Health Center and Patient-Centered Medical Home. While practicing in New Mexico, he mentored fourth-year, UNM medical students.





Elevate the way YOU practice!

- ✓ Powerful clinical research
- ✓ Simplified patient education
- ✓ Automated outcome tracking



Get Started for FREE.

Scan the QR code or visit chiroup.com to get a FREE 14-day trial on us!

