

Optometry Coding & Billing Alert

READER QUESTIONS: Check Probate Status for Clues on Collecting

Question: About a week ago, a patient who owes our practice money died. Do you have any advice for getting this outstanding balance paid?

Missouri Subscriber

Answer: Because an individual's debt to an optometry practice is not likely to be a great amount, it may be better, for public relations and community goodwill, not to pursue payment for a small debt. However, the death of the patient does not automatically excuse him from the debt. The patient's estate is still responsible, and often the family wants to honor the memory of their loved one by making sure the debts are settled quickly.

You might want to send another statement immediately to give the patient's estate the chance to settle smaller expenses before the probate process (i.e., the resolving of the will) starts.

For larger debts, you should start by finding out whether a probate proceeding has been held, say Arthur and Jay Winston in their book *The Complete Guide to Credit and Collection Law*.

What's that? -A probate is a proceeding where the administrator or executor of the estate collects all the assets of the deceased, pays all the debts, deducts the expenses of administration and distributes the balance to the beneficiaries,- the Winstons- book says.

If there was a probate proceeding, you'll need several specifics from the event in order to start your collection attempt. Calling the deceased's residence may not be a bowl of cherries for the biller, but it is the best way to see if a probate proceeding has occurred.

Try this: At an appropriate time, call the deceased's home and find out if a probate proceeding has happened. If not, ask when it will occur.

If a proceeding has occurred, try to find out:

- the name, address and phone number of the law firm handling the estate.
- the name of the court where the estate is filed.
- the filing's index number.
- the names and addresses of the executor or administrator of the estate.

Remember: Not every dead patient needs a probate proceeding. Probate proceedings are only necessary when there is property or other assets in the deceased's name that need to be transferred to a beneficiary, the Winstons say. -In many cases the assets were transferred prior to death, and thus the deceased has no assets at the time of death,- the book says.

Advice for Reader Questions and You Be the Expert contributed by **David Gibson, OD, FAAO**, practicing optometrist in Lubbock, Texas; and **Charles Wimbish, OD**, president of Wimbish Consulting Group in Martinsville, Va.