

## Optometry Coding & Billing Alert

### **READER QUESTIONS: Should Nonparticipating Providers Still Collect Copays?**

**Question:** Do we have any obligation to try to collect copays or deductibles when we are nonparticipating providers with a given insurance company?

Maryland Subscriber

**Answer:** If your practice does not participate in a patient's insurance plan, you can accept whatever dollar amount the patient's insurance plan allows. However, the practice still has to collect all copayments and deductibles required by the patient's plan. Don't waive copays or deductibles for these patients, because that violates the Stark anti-kickback rule.

Further, waiving copays or deductibles when your practice is a nonparticipating provider could very well be construed as insurance fraud.