

Part B Insider (Multispecialty) Coding Alert

Compliance: Don't Risk It With Power Wheelchair Prescriptions

As power wheelchair fraud investigations continue full throttle, physicians could end up on the line if their compliance with medical necessity requirements is shaky.

A Texas psychiatrist who allegedly compromised himself with one too many signatures on power wheelchair prescriptions was convicted April 1. **Lewis Gottlieb** pleaded guilty to defrauding Medicare and Medicaid of millions and accepting kickbacks from suppliers.

In 2001, Gottlieb allegedly signed a certificate of medical necessity approving a motorized wheelchair for a Medicare beneficiary after being offered a kickback of \$85 for his signature. According to Gottlieb, the scheme allegedly mushroomed into hundreds of similar transactions with several Houston-area durable medical equipment owners and beneficiary "recruiters" who paid Gottlieb \$200 per signed CMN.

In exchange for signing his certification on the power wheelchairs, Gottlieb also allegedly required beneficiaries who were brought to him by DME owners or recruiters, to authorize that they were in need of psychiatric services so that the psychiatrist could allegedly bill Medicare on their behalf.

The majority of beneficiaries approved to receive a motorized wheelchair did not qualify for them. A less expensive scooter - or nothing at all - was provided them.

Gottlieb faces a maximum penalty of 20 years in federal prison, and has had his bank account, worth \$1.6 million, forfeited to the government, according to U.S. Attorney **Michael Shelby**.