

Part B Insider (Multispecialty) Coding Alert

HIPAA: Carriers, Referral Sources Hoard Billing Information

Misunderstanding HIPAA leads to faulty bills

The Health Insurance Portability and Accountability Act may require you to keep healthcare information private, but it doesn't call for cloak-and-dagger secrecy.

Yet many providers and payers believe HIPAA zips their lips at all times. In fact, HIPAA says it's OK to share information for billing or treatment purposes, attorneys say.

Still, **Karen Jeghers**, manager at Compliant Billing Services in Carver, Mass., has already seen an increase in Medicare claims denials "because there's inaccurate information." If your claim contains any information that differs from the payers' files, you'll receive a denial.

"Medicare used to share their information much more readily," she adds. "You used to be able to call and say, 'Oh, I have the wrong date of birth, can you give it to me?' " Now both carriers and referral sources are making it hard to double-check information, she says.

"The federal government has been really clear that you're allowed to exchange information for purposes of treatment," says attorney **Elsbeth Delaney** with Hooper, Lundy & Bookman in Los Angeles. And if you have a pre-existing relationship with a patient, payers and referral sources should share information for billing.

If you're having trouble verifying information, you should call your state medical association, Delaney says.

The bigger problem you may face is verification. "It has been very easy to call up and say, 'I'm a doctor at UCLA,' and give your ex-husband's name and get his medical record sent to you," Delaney says. So with HIPAA, "there has to be some way to verify who's on the other end of the call."

Even having the doctor's license number may not prove anything, since anyone can obtain that information from the state medical society, says attorney **Abbie Maliniak** with Fulbright & Jaworski in Los Angeles.

But HIPAA doesn't give any pointers on how to verify the caller's identity. One idea is to fax every hospital or payer the names of all of your employees, including billing people, who may be calling. Use your letterhead to list their names and functions.

The most important thing is to establish a relationship with the carrier or hospital so they know your people and get used to handing over information, Maliniak says.