

## Part B Insider (Multispecialty) Coding Alert

### Physician Notes: CMS: Stop Balance Billing QMB Patients

**Plus: Louisiana health network discloses possible HIPAA breach.**

If you see qualified Medicare beneficiaries (QMBs)—those patients who are eligible for both Medicaid and Medicare—then you should remove the phrase "balance billing" from your vocabulary, at least for your QMB patients. That's the word from a recent MLN Matters article on the subject.

"Despite federal law, erroneous balance billing of QMB individuals persists," CMS says in MLN Matters article SE 1128, which the agency revised on Feb. 4, 2016. Because QMB patients are exempt from Medicare cost-sharing, you should never balance bill them for things like deductibles, coinsurance or copayments—but it happens frequently, the agency warns.

"Many beneficiaries are unaware of the billing restrictions (or concerned about undermining provider relationships) and simply pay the cost-sharing amounts," CMS says. "Others may experience undue distress when unpaid bills are referred to collection agencies." Not only is it inappropriate to balance bill these patients, but you are prohibited from billing them for these amounts even if you don't participate with Medicaid. If you are a Medicare provider, you're subject to the balance billing prohibition, CMS says.

**Resource:** For more on this issue, see the MLN Matters article at [www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNMattersArticles/downloads/SE1128.pdf](http://www.cms.gov/Outreach-and-Education/Medicare-Learning-Network-MLN/MLNMattersArticles/downloads/SE1128.pdf).

#### In other news...

A suspicious download has led to the potential breach of 13,000 Medicaid patients' protected health information (PHI)—and officials in Louisiana are working to secure the information.

Louisiana Health Connect (LHC) posted an alert on its website on Feb. 2 noting that a doctor's office employee used another person's credentials to access a provider website, downloaded a list of patients, and then gave the list to another provider who had no medically necessary reason to receive the information, LHC said. The list of 13,000 Medicaid beneficiaries will be notified and will receive free credit monitoring and identity theft protection as part of the potential breach, LHC added.

Although no financial information or social security numbers were on the list, it did include patients' names, Medicaid ID numbers, dates of birth, addressees and other sources of PHI.

**Resource:** To read LHC's notice about the breach, visit [www.louisianahealthconnect.com/2016/02/02/possible-data-disclosure-in-acadiana](http://www.louisianahealthconnect.com/2016/02/02/possible-data-disclosure-in-acadiana).