

Use the Complaint Process to Your Advantage

As it has become increasingly more administratively difficult to obtain payment from payers, it is essential to know about and utilize all resources available to you to obtain claims payment. If a payer is violating state or federal rules and regulations, it is important to lodge a complaint with the appropriate agency. Regulatory authorities cannot address problems with a payer if they do not know about them. Repeat violators can be, and have been, fined by regulatory agencies for failing to comply with the different regulations.

The Texas Prompt Pay law (SB 418) was enacted to help physicians obtain payment in a timely manner and are regulated by the Texas Department of Insurance (TDI). Not all plans fall under SB 418 as it applies only to fully-insured plans (TDI or DOI on the front of the patient ID card). Violations of SB 418 may result in penalties paid to the physician.

Self-insured plans, which are prevalent in Harris and surrounding counties, are plans where the employer takes all financial risk. Employers contract with Aetna, BCBSTX, Cigna, etc. for administrative services only (ASO). There are [Summary Plan Descriptions](#) (SPD) that are to be followed by the ASO as mandated through the US Department of Labor (DOL) on the employer. Be sure to request a copy of the SPD from your patient or the ASO. The patient can request a copy of their SPD through the [DOL](#). If the SPD is not followed, complaints can be filed with the DOL.

Instructions and guidance on filing complaints with various payer and plan types, including fully and self-insured plans, can be found on our website at: https://www.hcms.org/TMAIMIS/HARRIS/assets/PRACTICE_RESOURCES/Tools-Resources/WheretofileComplaints.pdf.

The Harris County Medical Society (HCMS) has a [Payment Advocacy Program](#) to assist its membership with payment issues. HCMS works collaboratively with payers to resolve dilemmas that go beyond the appeals process, as well as educational needs on different practice management issues.

Presented by the Board on Socioeconomics.