



# REGULATORY YEAR IN REVIEW

Dancing in the Dark

JOANALYS B. SMITH

SMITH & ASSOCIATES  
LEGAL COUNSELORS



DID I MENTION?????????

- Providers WON the QAF Appeal!!!!!

# HAPPY DANCE



## ISSUES THIS YEAR

- Lost Appeals
- Billing & Payment
- Transfers
- Survey
- Employees

# APPEALS



- Timeline
- Content
- Process

# DID I MENTION PROVIDERS WON THE QAF APPEAL



# APPEAL TIMELINE


- Usually 15 days
  - Might be from **date or delivery**
  - Deadline may be postmark or actual receipt
- Send to address in letter, on letterhead or by rule
- May require mail, fax or email





## APPEAL CONTENT

- Less is More
- Include required attachments
- Respond with required elements

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- Petitioner complied with all rules and requirements and appeals the payment imposed by Respondent”

MY FAVORITE  
CONTENT

## WHY LIMIT CONTENT IF POSSIBLE?

- Keep all appeal options open for as long as possible
  - Sometimes you must be specific
- Preserve payment plan

# DID I MENTION PROVIDERS WON THE QAF APPEAL



# APPEAL PROCESS

- Acknowledgement of appeal, assignment of case number and opposing party representative
  - Use case number and look for contact info
- Administrative Order
  - LOOK FOR DEADLINES!!!!
- Pretrial Conference
  - Usually just to give hearing date

• Notice

PROCESS....

- Notice
  - Read for Respondent's theory
- Discovery
  - Get manuals, deliberations and work papers
- Hearing
  - Can have witnesses by phone
- Decision
  - Unfortunately no typical deadline
- Rehearing
  - Rarely helpful but always required
- Judicial Review
  - DID I MENTION WE WON THE QAF JUDICIAL REVIEW???????

# BILLING & PAYMENT ISSUES

- OIG audits
- Sloppy Copy
  - Check all logs for copied grids and signature
  - Allow fax forms but pick up originals
- Form Fanatics
  - Web form problems
  - Any reproduction invalidates all
  - Repetative language
- Payment Plans
  - No appeal, no plan
  - Terms based on amount in controversy

# TRANSFERS

- Commitments
  - Laterals to SSLC are by commitment
  - Judicial determination of danger to self or others
- LIDDA delays
  - Beware of gaps
  - Confirm IPC dates at meetings
- Subcontracts
  - Expectation you will contract for any services requested





# SURVEY

- “We are told to write it the worst way” or we will have to come back
- Informal Reviews Ineffective except as evidence you will fight
- Fewer contract cancellations this year- told there is a new wind blowing

# EMPLOYEE ISSUES

- Injury Suits on the Rise
  - Company Doctor
  - Light Duty
  - Workers Comp
- Disgruntled Employee Explosion
  - Follow Your Policy
  - Designate an Intermediary
  - Strickly Enforce/ Invite Resignation
- Reporting to Everyone but You
  - Be sure not to retaliate

# DID I MENTION PROVIDERS WON THE QAF APPEAL



THANK YOU!  
FIND ME AT 512/261-9990  
OR JOANALYS@LAWOFFICESJBS.COM

