



# VISIONQWEST Healthcare GROUP

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SUBJECT: BENEFICIARY INDUCEMENT POLICY AND WAIVER OF COPAYS/DEDUCTIBLES  
POLICY NUMBER: VQ-LP-1004  
LINE OF BUSINESS: GLOBAL POLICY (ALL BUSINESS LINES)  
EFFECTIVE DATE: 11/21/11  
REVISED DATE: 11/21/11  
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## 1. REGULATORY REFERENCES:

- 1.1 CoP: N/A
- 1.2 ACHC: N/A

## 2. PURPOSE:

- 2.1 This policy provides guidance for compliance with the federal Beneficiary Inducement Statute.

## 3. POLICY:

- 3.1 Any person who offers or transfers to a Medicare or Medicaid beneficiary any remuneration that the person knows or should know is likely to influence the beneficiary's selection of a particular provider, practitioner, or supplier of Medicare or Medicaid payable items or services may be liable for civil money penalties to the federal government for each wrongful act.
- 3.2 "Remuneration" includes, without limitation, waivers of copayments and deductible amounts (or any part thereof) and transfers of items or services for free or for other than fair market value.
- 3.3 Routine waiver of deductibles and copayments by providers, practitioners or suppliers is unlawful because it results in (1) false claims, (2) violations of the anti-kickback statute, and (3) excessive utilization of items and services paid for by Medicare and Medicaid.

## 4. PROCEDURE:

- 4.1 The Company may offer beneficiaries inexpensive gifts (other than cash or cash equivalents) or services with a retail value of no more than \$10 individually, and no more than \$50 in the aggregate annually per beneficiary.
- 4.2 The Company may waive a patient's coinsurance or deductible, if (1) the waiver is not routine; (2) the Company determines in good faith the patient's actual financial condition and inability to pay coinsurance or deductible amounts; or (3) the Company has exhausted reasonable collection efforts.

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- 4.3 The Company will not routinely use “financial hardship” forms which state that a beneficiary is unable to pay the coinsurance/deductible. Waivers of coinsurance or deductibles will be done only in accordance with the procedure set forth above.
- 4.4 The Company will not advertise that it will permit a waiver of coinsurance or deductibles upon a financial hardship, and will not utilize the terms “Medicare Accepted As Payment in Full,” “Insurance Accepted As Payment in Full,” “No Out-Of-Pocket Expense,” “discounts” or any similar language in advertisements.
- 4.5 The Company will follow its Charity Care Policy for patients without insurance when providing services at a discount.

**5. ADDITIONAL DOCUMENTATION:**

- 5.1 State Specific Guidelines
- 5.2 Code of Conduct
- 5.3 Deficit Reduction Act Policy
- 5.4 Federal Anti-Kickback Statute Policy
- 5.5 Offer and Acceptance of Gifts and Business Gratuities Policy
- 5.6 Physician Self-Referrals Policy
- 5.7 Progressive Discipline Policy
- 5.8 Policy and Procedure Cross-Walk