

W. Kenneth Davis's Enforcement Presentations Featured in *Radiology Business*

May 1, 2017

Health Care partner W. Kenneth Davis, Jr. recently presented two sessions on enforcement trends at the Radiology Business Management Association's 2017 PARADIGM Conference, which were featured in two articles in *Radiology Business*. Ken's first presentation, "Enforcement Trends Part I: "Hot" Compliance and Other Legal Issues (PLUS Common Mistakes that Radiology Businesses Make)," focused on "hot" compliance laws and other legal issues, common compliance mistakes and tips for more effectively managing regulations and planning for future requirements. Using a recent case involving a radiology clinic to highlight overpayment issues, he noted that the Centers for Medicare & Medicaid Services (CMS) allows providers 60 days to correct billing irregularities, such as performing a different diagnostic test than what was ordered by the physician, bills for services in violation of Stark law, and bills for services to a physician that violate anti-kickback statutes. Ken suggested that having an audit process in place could help providers address these issues within "60-day rule" window. ("Regulatory Agencies on the Lookout for Overpayments—and How Practices Can Avoid Fate of Zwanger-Pesiri," May 1, 2017)

In his second session, "Enforcement Trends – Part II: When You Identify a Compliance Failure, What Next? (PLUS What to Do When the Feds Come Knocking)," Ken discussed the affirmative repayment obligation under the Affordable Care Act (ACA), the pros and cons to the various approaches for responding to a compliance failure, and what to do when the Feds "come knocking." He outlined seven mistakes radiology practices can make in documentation or regulatory compliance with best practices for avoiding these errors. As the regulations and compliance requirements are ever-changing, Ken stated, "What you need to know is: Is this legislation pending, is it being considered, is it up for proposal . . . you've got to monitor and advocate for yourself. These balance billing and out of network laws impact all providers, not just radiology." ("7 Common Compliance Errors in Radiology Practices—and How To Avoid Them," April 27, 2017)

View the presentation slides for "Enforcement Trends – Part I: 'Hot' Compliance and Other Legal Issues (PLUS Common Mistakes that Radiology Businesses Make)."

[View the presentation slides for "Enforcement Trends – Part II: When You Identify a Compliance Failure, What Next? (PLUS What to Do When the Feds Come Knocking)."]

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