

ELLEN V. WEISSMAN COMMENTS ON PROPOSED MEDICAID REIMBURSEMENT RULES, GUIDANCE, AND AUDITS

October 14, 2008

Practices & Industries

Healthcare

In her role as chair of the Payment & Reimbursement Committee of the New York State Bar Association's Health Law Section, Hodgson Russ partner Ellen V. Weissman has authored and submitted commentary on proposed regulations and guidance to two key New York State health agencies. The letters reflect Ms. Weissman's critical role in representing the interests of health care providers in the legislative and regulatory processes.

Ms. Weissman recently authored a letter to the New York State Office of the Medicaid Inspector General (OMIG) on the OMIG audit of ancillary services associated with clinic visits. Providers have until November 18 to respond to this audit under the current extensions. In this letter, Ms. Weissman identifies the lack of legal authority for many of the OMIG disallowances.

Additionally, Ms. Weissman provided commentary and suggestions on the proposed New York State Department of Health (DOH) regulations that would set forth a new Medicaid reimbursement methodology based on ambulatory patient groups ("APGs") for ambulatory services provided in general hospital outpatient clinics, diagnostic and treatment centers, and ambulatory surgery centers.

Finally, Ms. Weissman co-authored a letter to OMIG offering suggested revisions to its proposed protocol for voluntary self-disclosure by health care providers.

Ms. Weissman is the leader of the Hodgson Russ Health Law Practice Group. She devotes her practice to serving health care clients, including hospitals, skilled nursing facilities, and others, particularly in reimbursement, regulatory, and compliance matters.

