OAO

Member Guide to Delisting

Understanding the process and your options

ONTARIO ASSOCIATION OF OPTOMETRISTS

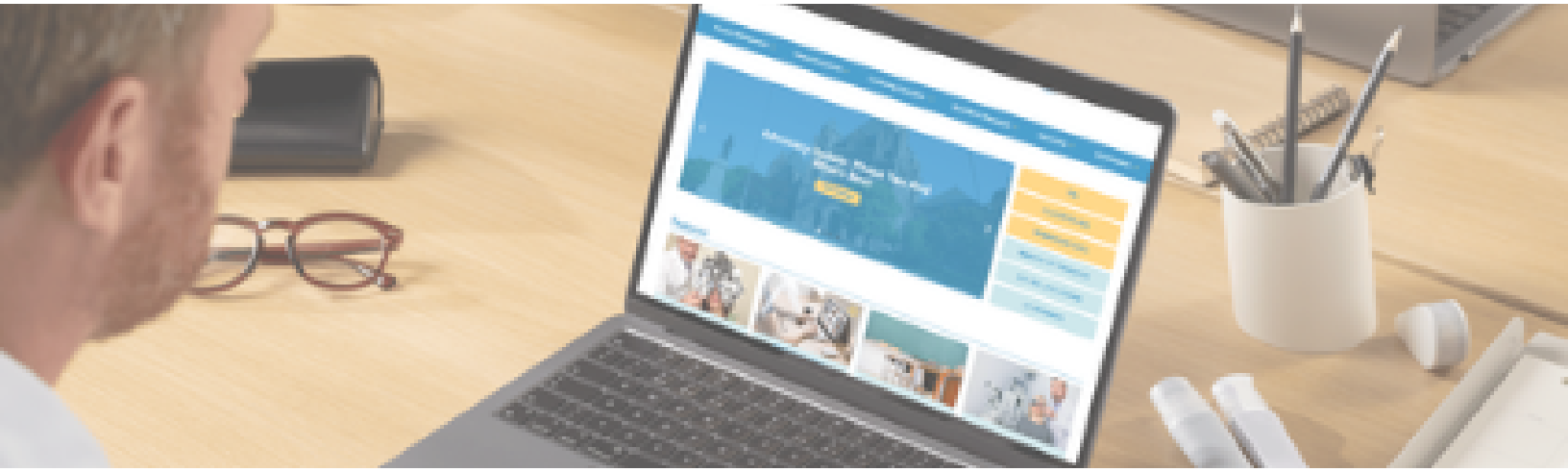
INTRODUCTION

What is delisting?
Delisting refers to the removal of a healthcare service, product, procedure, or provider from insurance coverage, meaning it is no longer eligible for reimbursement or benefits.

What happens if a clinic or practitioner is delisted?
Services and supplies provided by that specific clinic or practitioner will no longer be eligible for reimbursement under the delisting insurer's benefits plans.

The OAO and CAO both have resources available. As a member of the OAO, you are a member of the CAO. Working with insurers on a national basis is part of the mandate of the CAO. In an aligned effort with Alberta and CLHIA, updates are provided in their newsletter *Contact*.

The OAO is pursuing a fact-based response to this issue. If you have any information about delistings please contact us. This is a highly sensitive topic and we want to provide you with the best resources possible.



Delisting Prevention

The best course of action is to prevent delisting in the first place. Find resources below that will assist in keeping your practice, patients, and reputation secure.

What We Do

1. Watch OAO x The Canadian Life & Health Insurance Association (CLHIA) Webinar — **Webinar**
2. Review the associated handouts — **Handouts**
3. Take the CLHIA Fraud Prevention Training — **Training**
4. Have the practice staff review the resources and do the training — **Member Site**

Areas and services often investigated by insurers

While specific causes leading to delistings are difficult to ascertain at the moment, some areas are being noted where clinic processes or practices could be reviewed:

- Above-average dispensing of low-prescription eyewear, including sunglasses
- Above-average dispensing of high-prescription eyewear to youths
- Inappropriate dispensing of company gift cards
- Above-average purchases of uncut lenses
- Patient order cancellations
- Above-average patient returns
- Above-average order re-dos
- Price matching and discounting
- Billing that does not precisely match services rendered or products dispensed

Find more resources:

CAO Site

Protect your practice

Document, Document, Document

Be sure to document every change, update, and reason on a patient's file. That way, if you do have an audit, you can show proof.

Don't guess, file a paper claim

If a service you provide is not listed when submitting claims to insurers, it is best practice not to guess. Instead, send them a paper claim or contact the insurer to double check the insurance policy and obtain their guidance on the appropriate category for the service claimed.

Be Prepared for a Secret Shopper

As part of an investigation or insurer tests, a secret shopper may come to your practice. Have the front desk staff use this form if they believe there was an interaction with a potential secret shopper.

Secret Shopper Form (from AAO):

Form

How Insurers Delist Practices

This is a general overview of the process an insurer may go through in delisting a practice. Each insurer has its own system and metrics they use. There is no standard process.

1. Insurer identifies potential fraud due to concerns typically originating from either a plan member complaint or from irregular billing patterns identified by the insurer's fraud detection software.
2. Insurer investigates.
    a. An investigation may include:
        i. Audit of practice submissions. Note that audits are a normal part of claim of administration.
        ii. Secret shoppers
        iii. Email questions
        iv. Interviews
    b. The Canadian Life & Health Insurance Association recommends that practices and staff cooperate with the Insurer and respond promptly to any requests.
    c. The insurer may share their findings and if there is an administrative error share how to rectify.
3. Insurer confirms that fraud has occurred (not just an administrative error).
4. Insurer send official notice of delisting.
    a. This will include some information about why and who to contact to appeal the decision.

Actions if you have been Delisted

Every situation is unique, and each insurer operates differently. There is no standard process at this time.

1. **Review the terms** of their provider agreement with the insurer to understand the reason for delisting and appeal procedures.
2. **Perform an Audit** of your records (if needed)
    a. Form from AAO
3. **Contact Miller Thomson** On Call™ (if you have PLI through HUB). They can give high-level advice about your situation (see more information below)
4. **Contact your PLI insurer**
    a. HUB may be able to help if it is specific to a billing issue
5. **Report the Delisting to the OAO**
    a. Form: https://forms.office.com/r/Ehr57YUSe3
    b. Contact our Consultant Dr. Angela Yoon at ayoon@optom.on.ca
6. Most, if not all, **insurers have an appeal process**. This is a proprietary process for each insurer. If you've been notified of a delisting, use the contact details provided in the notice to follow up directly with the organization after consulting legal counsel.
    a. Unfortunately, relisting is not as common as delisting (See Insurer De-Listing: An Overview for Health Care Providers by Lad Kucis)
    b. Something to consider - good legal counsel can be expensive. Other Associations have reported that it has taken anywhere from 10 to 40 hours of legal support for some of the issues to be resolved. Consider the financial implications of both fighting the delisting as well as the implications of not doing so.

RESOURCES

CAO

info@opto.ca
The CAO has created a section on their website about Insurance Billing and Fraud Prevention.

You can access it here: https://opto.ca/exclusive/insurance-billing-and-fraud-prevention. As an OAO member, you have access to their resources.

HUB

Telephone: 1-855-565-4 OAO (4-626)
Email: oao@hubinternational.com
Fax: 416-597-2313
Mail: Hub International Ontario Limited, 130 King Street West, Floor 11, Suite 1100, Toronto, ON M5X 1E4

Canadian Life & Health Insurance Association

The CLHIA represents their members – Insurance companies. Periodically, they produce resources for Healthcare providers (including Optometrists).

You can access their resources here:https://www.clhia.ca/en-ca/Industry/Resources-for-HealthCare-Providers

Miller Thomson On Call™

MTOC Hotline: 1-800-387-4452
Fax: 416-595-8695
E-mail: mtoncall@millerthomson.com

Miller Thomson LLP – Support for Ontario Optometrists Facing Insurance Delistings

Miller Thomson's Ontario Health Industry Group has extensive experience advising optometrists and other regulated health professionals across Ontario, including:

- regulatory compliance issues
- billing and insurance risks and compliance
- investigations, including College of Optometrists of Ontario (COO) investigations
- Insurer processes

Miller Thomson LLPs expertise in the professional regulation of optometrists in Ontario enables the team to provide expert advice and support to manage and respond to delisting matters at all stages of the process, focusing on mitigating risk while supporting reinstatement efforts.

When should optometrists contact Miller Thomson?

Optometrists are encouraged to seek advice early when issues arise that may have insurance implications, including:

- Letters advising of a proposed or actual insurance delisting
- Concerns relating to undercover investigations, or insurer reviews
- Situations where billing issues may trigger both insurer action and COO involvement
- Assistance with responses, corrective plans, and/or reinstatement requests

Accessing Miller Thomson's services

For preliminary advice and as a first point of contact, OAO members may access Miller Thomson On Call™ for the Health Industry (if you have PLI through HUB), which provides direct access to experienced health and professional regulation lawyers for time-sensitive issues. This service is intended for matters that can be addressed within a single, short telephone consultation. OAO members may call the Miller Thomson On Call™ Hotline at 1-800-387-4452 and will be connected with a lawyer who is experienced in advising optometrists and other regulated health professionals on delisting matters.

For matters requiring ongoing advice or representation—including support on delisting processes, potential delistings, and/or reinstatement support – that exceed support that can be provided through Miller Thomson On Call™, you will be offered the option to retain Miller Thomson to provide fee-for-service support at an agreed upon rate of service from our Ontario professional regulatory lawyers directly, led by Partner Lisa Spiegel, who will ensure a coordinated strategy so as to identify, address and respond to insurer concerns.

Thank you for being an OAO member.



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905-826-3522 or
1-800-540-3837 (Toll Free)

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