



Tennessee Medical Association v. Health Research Insights (Davidson Cnty., Tenn. Cir. Ct.)

Topics Covered: Payment Issues (for Physicians)

Outcome: Very Favorable

Issue

The issue in this case was whether Health Research Insights (HRI), a collection agency, illegally sought recovery of alleged overpayments to physicians for supposed upcoding of evaluation and management (E&M) services.

AMA Interest

The AMA believes that physicians should be protected from allegations of fraud and abuse due to differences in interpretation and inadvertent errors in coding of the E&M documentation guidelines.

Case Summary

The Tennessee Medical Association (TMA) and two of its members sued HRI, the Nashville, Tennessee Board of Education, and Blue Cross Blue Shield of Tennessee, Inc. (BCBST). The complaint alleged that the plaintiff physicians signed network participation agreements with BCBST, under which they rendered medical services at reduced rates to beneficiaries of BCBST health plans. The complaint further alleged that the Nashville Board of Education, through its employment of HRI, used underhanded and overly aggressive collection practices to seek recovery of alleged overpayments to in-network BCBST physicians for upcoding of E&M services.

On December 8, 2010, the parties settled their lawsuit. Under the settlement, HRI was enjoined from making further misrepresentations in its collection efforts, and it was required to refund the money it had previously collected from physicians.

Litigation Center Involvement

The Litigation Center contributed toward the TMA litigation expenses.