

**645—43.9(151) Billing procedures.**

**43.9(1)** Chiropractic physicians will maintain accurate billing records for each patient. Records may be stored on paper or electronically. The records will contain all of the following:

- a.* Name, date of birth and address.
- b.* Diagnosis indicated with description or ICD code.
- c.* Services provided with description or CPT code.
- d.* Dates of services provided.
- e.* Charges for each service provided.
- f.* Payments made for each service and indication of the party providing payment.
- g.* Dates payments are made.
- h.* Balance due for any outstanding charges.

**43.9(2)** Chiropractic physicians will preserve the confidentiality of billing records.

**43.9(3)** Upon signed request of the patient, the chiropractic physician will furnish billing records or copies of the records as directed by the patient within 30 days. The chiropractic physician may charge a reasonable fee for duplication of records, but may not refuse to transfer records for nonpayment of any outstanding balance.

**43.9(4)** Each chiropractic physician is responsible for the accuracy and validity of billings submitted under the chiropractic physician's name.

**43.9(5)** Chiropractic physicians:

- a.* Who are owners, operators, members, partners, shareholders, officers, directors, or managers of a chiropractic clinic will be responsible for the policies, procedures and billings generated by the clinic.
- b.* Who provide clinical services are required to familiarize themselves with the clinic's billing practices to ensure that the services rendered are accurately reflected in the billings generated. In the event an error occurs that results in an overbilling, the licensee must promptly make reimbursement of the overbilling whether or not the licensee is in any way compensated for such reimbursement by an employer, agent or any other individual or business entity responsible for such error.

**43.9(6)** A chiropractic physician has a right to review and correct all billings submitted under the chiropractic physician's name or identifying number(s). Signature stamps or electronically generated signatures will be utilized only with the authorization of the chiropractic physician whose name or signature is designated. Such authorization may be revoked at any time in writing by the chiropractic physician.

**43.9(7)** Chiropractic physicians will not knowingly:

- a.* Increase charges when a patient utilizes a third-party payment program.
- b.* Report incorrect dates or types of service on any billing documents.
- c.* Submit charges for services not rendered.
- d.* Submit charges for services rendered that are not documented in a patient's record.
- e.* Bill patients or make claims under a third-party payer contract for chiropractic services that have not been performed.
- f.* Bill patients or make claims under a third-party payer contract in a manner that misrepresents the nature of the chiropractic services that have been performed.

**43.9(8)** For cases not involving third-party payers, nothing in this rule will prevent a chiropractic physician from providing a fee reduction for reasonable time of service or substantiated hardship cases. The chiropractic physician will document time of service or hardship case fee reduction provisions in the patient record.

**43.9(9)** The chiropractic physician will not enter into an agreement to waive, abrogate, or rebate the deductible or copayment amounts of any third-party payer contract by forgiving any or all of any patient's obligation for payment thereunder, except in substantiated hardship cases, unless the third-party payer is notified in writing of the fact of such waiver, abrogation, rebate, or forgiveness in accordance with the third-party payer contract. The chiropractic physician will document any hardship case fee reduction provisions in the patient record.

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