



PRACTICE GROWTH

## 3 More Reasons to Expand the PI Segment of Your Practice

Michael Coates

*Editor's Note:* The first article in this series appeared in the [January 2023](#) issue.

---

Personal-injury cases often take months, if not years, to resolve, meaning you will wait months or years for payment on PI cases taken on lien. And yet, I still argue in favor of expanding the PI segment of your acupuncture practice. Here are three more reasons:

- You have access to prompt MedPay and PIP payouts.
- PI is a downtime and economic recession savior.
- The new law you are required to comply with (the No Surprises Act) works in your favor.

### Access to MedPay and PIP Payouts (in Most States)

If you take PI cases, your patient may have auto policy benefits that can be applied to pay your bill, such as MedPay and PIP payouts, which are intended to pay out quickly. Let me explain MedPay and PIP:



MedPay, or medical expense coverage, is a shockingly inexpensive auto policy benefit available in most states. It requires the insurance company to promptly pay medical expenses (up to the policy limit) incurred during a motor vehicle collision, regardless of who is at fault.

*PIP, or personal-injury protection*, is also a component of some auto policies. (In fact, having PIP is required in most "no fault" states.) PIP requires the auto insurance company to promptly pay medical expenses incurred during a motor vehicle collision, regardless of who is at fault. PIP is generally more expensive than MedPay, but it often also covers childcare and lost wages.

Both MedPay and PIP exist, in part, to encourage providers to see these patients because of prompt auto benefit payments. At times, MedPay and PIP payouts can cover an acupuncturist's entire bill.

Although it may require a little finagling, MedPay and PIP should always be turned over directly to you — *not* to the patient or the patient's attorney. Unfortunately, that doesn't always happen, so acupuncturists should keep great records and:

- Ask your patient at the first visit to provide proof of insurance coverage showing whether MedPay and PIP exist, and the amount of coverage.
- Ask the patient and attorney to sign a lien or letter of protection that includes a clause mandating the turnover of any MedPay or PIP issued on your bill if received by the attorney; and rescinds any MedPay or PIP attorney fee entitlement that may be in the attorney-patient retainer agreement.
- Submit your bills to MedPay and PIP immediately. Your patient might be pursuing medical treatment from other specialists. You want to be the first to submit a claim and, therefore, the first paid.
- Follow up with the auto insurance company for payment. If the auto insurance company sent

your monies to the attorney, contact the attorney and demand turnover.

An attorney should rarely have anything to do with MedPay and PIP payments, except for some states requiring the submission through the attorney. Since these benefits are issued regardless of who is at fault, attorneys should never (or at least rarely) hold those benefits or take a cut by deducting attorney's fees.

### A Savior in Recessions, Pandemics, and Other Downturns in Business

In times of uncertainty and surprises, personal-injury cases can become a savior. After all, even if business is slow because of an economic recession, you will still be receiving payments for your past work. When other revenues have stalled, they can be a lifesaver; providing you with the monies needed to pay overhead for your practice, as well as your personal bills.

### The No Surprises Act: A Mandate & an Advantage

The No Surprises Act (NSA), which went into effect January 2022, is intended to prevent "surprise" medical billings and provide transparency to help consumers shop for affordable health care. Whether you like it or not, all acupuncturists have to comply with it.

The NSA applies to any consumer who is either uninsured or self-paying. Regardless of whether they are insured, most of your PI patients will be self-pay patients, meaning the NSA applies to them. If they are insured, they likely are not submitting to insurance. They believe they are not at fault and someone else's insurance should pay their bills.

(The act applies to your MedPay and PIP clients as well, as there is no guarantee that MedPay or PIP will in fact cover your bill.)

At the heart of the NSA is the good-faith estimate or GFE. It ensures full transparency regarding the scope, duration and cost of health care services; and gives patients the option to shop for more affordably priced care.

If you don't provide the GFE, the patient might be able to wipe their balance clean, meaning you don't get paid a cent. You could also be subject to steep government fines. In MedPay and PIP states, you might not get paid unless you provided your patient that GFE.

The NSA means more work for you and your staff, *but it could be the best thing that's happened to acupuncturists in the past century!* The NSA transitions your patients from an inefficient per-visit treatment model to a more profitable term-care plan model. That's because you are required to lay out the treatment modalities, visits, codes, descriptions, and charges, as well as the total projected bill, over the course of the upcoming year. A "term care plan" is really what the NSA is requiring.

Those in PI have the advantage here. Your non-PI patients may decide against treatment if they receive a GFE for thousands of dollars. In PI, the patient's attorney will encourage them to continue getting treatment, knowing higher, but reasonable billings can often lead to a higher settlement or trial outcome.

The NSA requires that the patient think in terms of long-term plans – considering the cost for all the recurring treatment that might happen during the course of a year.

Should you want to move your patients to a maintenance plan, guess what? They've already done it! They were trained in the new habit of term-care plans, had a great outcome, and potentially came out with money from their injury claim.

The Real Question: Why Not?

There are so many wonderful byproducts of expanding your practice to include PI that the question becomes: *Why not?* Very likely, it's because you do not yet know how to navigate the waters. The key word, though, is *yet*.

If you aren't intentionally building the personal-injury segment of your business, you are leaving opportunities on the table. Get the coaching you need from the experts. By learning how to do PI right, you will find yourself with improved patient outcomes, a better-trained staff, more profits, more time, and more freedom to do what you want, when you want, with whom you want.

FEBRUARY 2023