



## Legal Services

### Integrating legal services into the reimbursement process

No matter how important payment is, it's a serious step to initiate legal proceedings in order to collect payment. Though, in many cases, it's a critical and valuable component of encouraging payers to fulfill their obligations. Kent gives our clients this option, without the need to outsource to another agency. Indeed, our clients find that just the knowledge that they have this option at their immediate disposal is enough to overcome barriers to payment by many payers and government agencies.

PV Kent & Associates attorneys are available full-time to support healthcare providers' legal needs. Our attorneys provide a range of services. For example, they:

- Cease improper attempts by payers to recover alleged overpayments
- Secure claims against solvent estates for recovery of unpaid medical bills
- Demand and obtain payment from individual ERISA plans, private and commercial carriers, and government payers
- Assist and defend providers during audits conducted by state and federal agencies
- Review and assist providers with insurance contract negotiations and other legal matters pertaining to contractual agreements
- Pursue self-pay claims
- Submit appeals to courts and various administrative agencies

Unlike most companies, Kent has in-house attorneys who can litigate when deemed necessary. This ensures seamless coordination that is not possible when working with multiple firms.

#### Denials Management

In the event that administrative appeals for proper payment are exhausted, Kent attorneys can prosecute appeals before a variety of entities, including the Office of Medicaid's Board of Hearings and the District and Superior Courts of both Massachusetts and New Hampshire.

They have been successful in contesting non-payment due to:

- Prepayment denials and post payment recoupment
- Third-party liability
- Attempts by payers to recover insurance identified after payment has already been made
- Improperly denied claims by Medicaid and other state agencies
- Administrative denials—by responding to MassPRO in accordance with strict program guidelines
- Third-party administrator and re-insurer denials

#### The Kent Difference

Unlike most companies that support recoupment efforts from insurance companies and agencies with outside legal assistance, PV Kent & Associates maintains in-house attorneys who focus their practice exclusively on all aspects of healthcare reimbursement. Our ability to deliver both legal and administrative support, without the need to coordinate multiple vendors, makes us unique in the industry and enables us to achieve consistently remarkable results.

Kent's law practice focuses exclusively on healthcare reimbursement related issues, so our attorneys are authorities on the legal implications of collecting from state, federal, commercial, and other insurers. Clients turn to Kent when they need proficiency in the areas of:

- Advocacy
- Negotiation
- Litigation

First and foremost, our staff is aware of the unique role that healthcare providers play in their communities. We partner with our clients throughout every interaction to protect and enhance their standing in their communities.

**PV Kent is fully HIPAA Compliant**

*In recent years, Kent attorneys have helped our clients retained in excess of \$10,000,000 in payments that the Office of Medicaid attempted to take back.*

## **Estate Claims**

There are occasions when healthcare providers seek remedy for unpaid medical bills from the solvent estate of a patient who is deceased. Kent's attorneys coordinate closely with clients throughout the entire process of pursuing payment. They file necessary documents with the courts and initiate litigation against the administrator or executor of the estate within the tight deadlines established by state statute. They have extensive experience searching probate court dockets, communicating with estate attorneys, negotiating settlements, and filing requisite legal paperwork. Kent's lawyers are firm and yet ever mindful of the need to protect and enhance our clients' standing in their communities.

## **ERISA Claims**

ERISA (Employee Retirement Income Security Act of 1974) specifies the federal standards for healthcare benefits payable under self-funded group health insurance plans. ERISA can be a minefield, but our experience in this area allows us to recover a significant number of improperly denied claims.

Kent attorneys operate skillfully within the complexity of ERISA regulations. For example, they know how to work with third-party administrators, trustees, and re-insurers of an ERISA plan to resolve issues without the need to resort to unnecessary litigation. They can identify whether or not ERISA preempts state insurance laws—early enough in the process to avoid delays and unnecessary courses of action. They manage denials thoroughly to ensure that their clients can effectively contest a claim, through all phases of the litigation process, if necessary.

As usual, Kent attorneys advocate, negotiate, and then litigate when necessary and appropriate. They carry out all the activities required to maximize revenue for the healthcare provider. This includes making payment demands, notifying the Department of Labor of ERISA plan violations, seeking noncompliance penalties, and recovering litigation costs.

## **Audits**

Healthcare providers regularly undergo audits by insurers and government agencies, during which they must disclose all of their accounting records. As a law firm, Kent can assist in the audit itself. In cases where auditors cite questionable violations and overpayments, Kent can challenge their findings. As a result, we have significantly reduced—or even eliminated—repayments, fines, and sanctions imposed by the auditing entity.

## **Attorney Representation**

Kent attorneys address the full spectrum of legal matters that pertain to healthcare providers relating to reimbursement and eligibility. Because Kent is focused on the business of supporting healthcare providers, we can deliver a more competent level of support for these matters than most other law firms.

