

# STELLAR GOOD NEWS

Volume 10, Issue 9

1-800-741-4755

October 2010



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Read previous issues of Stellar Good News on the resources page of our website!

## Action Alert! Medicare Opt-Out Amendment Needed!

*This was first discussed by Don Tauer in the March 2008 Stellar newsletter ( <http://stellarchiro.com/Resources/March2008.pdf> ). We're issuing an action alert at the request of one of our politically active users because there may be a window of opportunity for the chiropractic community to influence congress and get new legislation rolling before the November elections.*

*This is the important information he requested we pass on to you:*

### Medicare Benefits Policy Manual Chapter 15

(Link:  
<http://www.cms.gov/manuals/downloads/bp102c15.pdf#page=26> )

### 40.4 - Definition of Physician/Practitioner

**(Rev. 62, Issued: 12-22-06,  
Effective: 11-13-06,  
Implementation: 04-02-07)**

For purposes of this provision, the term "physician" is limited to doctors of medicine; doctors of osteopathy; doctors of dental surgery or of dental medicine; doctors of podiatric medicine; and doctors of optometry who are legally authorized to practice dentistry, podiatry, optometry, medicine, or surgery by the State in which such function or action is performed; no other physicians may opt out. ... **The opt out law does not define "physician" to include chiropractors; therefore, they may not opt out of Medicare and provide services under private contract.** Physical therapists in independent

practice and occupational therapists in independent practice cannot opt out because they are not within the opt out law's definition of either a "physician" or "practitioner".

All DC's are thus legally prohibited from "opting out of Medicare." This is because language does not exist in statute.

### What needs to be done is this action step!

DC's need to contact their MC's (Members of Congress) in the "Lame Duck Session" which resumed after Labor Day and ask them to introduce language that allows us to opt out.

Congress can direct MEDICARE to allow all providers to opt out!

DC's might unite w/the independent practice PT's and OT's to have them listed among all other providers to have the ability to do so! Otherwise, it will take a lawsuit in the Federal Court system charging that The Secretary of HHS has violated the provision of the 13th Amendment (to the Constitution) by creating a condition of Involuntary Servitude!

If you need further input for why you need to act now, consider that Speaker Pelosi has stated (on CNN and other network news in the past 8 weeks) that she plans to pass legislation (which will be a MEDICARE plan) for Universal Health Insurance for those not covered; instead of fines under current law. The window of opportunity is very short for all DC's, independent PT's & OT's to get their respective US senators and reps to sponsor OPT-OUT legislation, so those DC's, PT's and OT's can get out of the

program legally before its too late!

Need further convincing? Then look at the below language contained in 42 U.S.C. § 1320a-7a(a)(1)(A) and (B) which states that an individual or business that:

Presents or causes to be presented, claims to a Federal health care program (MEDICARE or any Federal benefit program, eg. FED BCBS, APWU, MailHandlers, etc) that the person knows or should know is for an item or service that was not provided as claimed (as well as your required record which when you submit the claim you are certifying is true, correct and complete according to the plans provisions set forth by that program) is false or fraudulent.

Having a "Cash practice" or simply submitting a claim for services provided and paid by the patient **does not exempt you from any policy provisions of MEDICARE or a Federal health benefits plan**. Also keep this in mind: the PT's and OT's have no restriction yet on the number of services that they can bill; only the amounts, while the DC's have only one allowed service: MMOS-manual manipulation of the spine. Colleagues, it is up to you to take this "Heads-Up" info and get your Federal reps to write a bill and sponsor passage for an OPT-OUT amendment to MEDICARE for us all! REMEMBER, we cannot do this on our own. You cannot do a chiropractic only bill because whether you know it or not you're the smiling Tar Baby of the health professions!

## Stellar Updates

Some recent enhancements and updates to Stellar (go to the Help menu in Stellar and click Download Stellar Update for the complete list):

### Carriers

Reorganized fields with a better layout, especially on the Options tab.

Increased size of carrier city and phone extension fields (can now save 5-digit extensions).

### Patients

Reorganized fields (mainly on the Billing tab) so that they're grouped better, and added paper claim box numbers to some field names.

Improved loading speed of patient profiles with a lot of history.

### Posting, Payments & Corrections

Added View Hist button to posting, payment and adjustment screens.

### Posting, Recalculate, Patients

Corrected some incorrect or unnecessary "patient part error" messages.

### Payments & Corrections

Using the Allowed Amt box on the insurance payment screen now displays the automatic discount regardless of the patient's Ins. Options tab discount setting.

### Patients, Posting

Duplicate diagnosis codes now display a multiple-choice screen.

### Various Programs

Can now search patient lists for first name by adding a space after the last name (eg. type SMITH BOB if you're looking for Bob Smith).

This month's satirical cartoon comes again from NaturalNews.com, courtesy of Mike Adams, and concerns the recent Federal "crack downs" on raw milk farmers. For more raw milk news see: [http://www.naturalnews.com/raw\\_milk.html](http://www.naturalnews.com/raw_milk.html)

Also, unlicensed lemonade stands are illegal in Oregon: <http://tinyurl.com/3ylcubs>

