The Charting Mistake That's Putting Regenerative Medicine Licenses at Risk Transcript

(Transcripts are generated by AI and may contain errors)

Medical director liability warning

Be very cautious with this. Your medical license is your own and do not allow other nefarious people to [music] use it. Had an important thing happen over the last two weeks with a client that it was a medical director of a facility.

Now, this particular doctor have had licenses in various states and basically what what has happened is is that nurse practitioner he was overseeing in regards to the GLP-1s trying to get their patients covered for the GLP-1s underneath their health insurance plans had written in their charts that every one of them was a diabetic. What subsequently happened is that state board [music] came in, did an investigation after complaints from the health insurance companies in regards to this and also from Medicare. And guess what happened? Nurse lost her license and the process this particular guy who is a medical director of this practice is now losing [music] his license in 17 states out of 40.

So, what does our policy cover?

Professional liability policy coverage

Traditional professional liability insurance policy just with the advantage that the non-FDA approved approved procedures that a lot of you guys are doing in your practice are covered underneath that. We don't have a whole lot of limitations on our policy.

More often than not, it's kind of funny when you come up, you know, when talk to a few of you earlier, the you know, it's better for you guys just to ask what would you like to do and I can tell you point blank if it's covered or not.

And if there's something that I've not heard of, just put it in writing to me and we can always send it to the underwriter and get it approved. That's not a big deal whatsoever. Very rarely do we say no.

If you are a owner of a practice and you intend on running your practice for more than 5 years, a claims-made policy is the way to go. An occurrence policy is fantastic for individual a year-by-year contract work.

Uh so, if you're just a contract player and you're bouncing from one job to the next, and they require you to buy tail coverage when you leave, an occurrence policy is perfect because that cover that 12-month time period on that policy is covered indefinitely.

Um the difference between a price difference between an occurrence and a claims-made policy is usually two times. So, you know, you can cut your cost by 50% if you just go to a claims-made policy. Cyber liability coverage, you know, it's funny. Um we don't see it a whole lot as far as a need on individual offices. However, I've had a few time times that it has.

Um but, it's it's really come to focus for me actually. A good buddy of mine just had this happen to him. His business as far as revenue-wise, they do about I'd say about 25 million a year in rev.

And um so, you know, fairly they've got about 35 employees.

Cyber liability and ransomware response

One of the employees actually um opened up a phishing email, and a hacker group out of uh Ukraine uh took over their system. This happened in it started in No, the first Yeah, it was the first week in November of last year, and um my buddy was just adamant. He goes, "I'm not paying those bastards. I'm not doing it." They wanted uh a ton of

money. They I think it was a quarter million they wanted in Bitcoin. And he's like, "I'm not doing it." So, he's trying like all get out to rebuild his systems and gather information from every place that he could to do it.

Ultimately, after 6 weeks, um he had to pay the ransom to to get back into his system. When he did, all of his financials were gone. I mean, everything that he had in there completely gone. He had to rebuild all of it. And he's he's currently still in the process of doing so. So, the reason why I say that is he did have a cyber liability policy. Even though he's being obstinate, I don't understand why because they would have paid that ransom. And they did ultimately pay that ransom. I mean, he paid it himself, but sent the bill to the insurance company and they actually reimbursed him for that. They will also pay for underneath the cyber liability covers to rebuild your records as well. The next coverage I would recommend for your practices um employment practices liability coverage.

Why is this important? Well, I mean, that's just one dumb thing. I mean, I've seen a bazillion dumb things that have happened because why? People are people.

And an employment practices liability insurance policy for your practice, if you have, you know, any more than a couple of employees is absolutely important. Um it's not going to cost that much money. Typically, you know, if you're a practice, say, turning over 2 and 1/2 million a year, let's say you got five five to seven people, you might be paying 2,500 a year for that. That is well worth laying off the risk on somebody else.

Employment practices and telehealth coverage

Um I mean, these things happen on a regular basis and it's something to be aware of um you know, because people do dumb things, unfortunately. And now, there have been things instances that I have, you know, that have been covered under our EPI policies that were intentional acts as well. And also, too, it does cover for wrongful termination suits. So, if you fire somebody and you're worried about them suing them, this is the policy to cover for that as well.

Um telehealth coverage underneath their main professional liability policy, not a problem as far as doing so. It's just there's multiple states that um you know, um >> [snorts] >> we operate in. So, that's not an issue as far as covering across state lines.

I want to also point out to that our policy, if you wanted to, say, go and do some work in Dubai or you wanted to do some work in the South of France or whatever, we've we've been asked this multiple times. The coverage is uh would extend to that work that you're doing outside the United States as well. Uh just as long as the claim is filed in the territorial United States.

GLP-1s, uh, getting back to this, we do cover them underneath our policy. That's not an issue as far as you prescribing them. Um, again, um, I would highly suggest that as far as the, you know, if you're trying to get the patients covered under the health insurance, watch out. Um, make they are looking at this stuff, both CMS and the health insurance companies as far as claiming people that have diabetes >> that do not.

>> Again, we cover everything under our policy. There's not much that we don't. Um, hormone therapy, ozone, hyperbaric, any kind of human tissue products, 351, 361 products.

GLP-1s and out-of-state coverage

Um, uh, you know, we cover the weird stuff is what we say. Um, again, anything that's avant-garde, we like it. Um, the claims activity is low. I mean, case in point, underneath our program, if we were running it specifically for family and general practitioners, um, or say internal medicine physicians doing traditional medicine here in the United States, I would expect to lose 90 cents for every dollar we took in.

In regards to our program, our loss ratio typically hovers between 37% and 41%. It just varies from year to year. Um, the reason why the lawsuit activity is so low with the, uh, that I feel with the integrated and wellness practices and the safety of them is because there's a much more positive outcome for the patient on a regular basis because, hey, guess what? What you actually do works.

And that's the thing is like, I'm a statistics wonk. I'm a numbers guy. And quite honestly, the numbers just spell it out, period, that statistically speaking, this is one of the safest areas of medicine in the United States.

Avant-garde treatments and claims trends

And again, too, for us, we've been able to keep our rates pretty low with our program when a lot of other companies have had to raise rates and all kind of good stuff like that, it's because this area of medicine does not generate claims activity.

I mean, yes, we've had a couple of claims infections at injection sites, which is, you know, standard when you're doing any kind of trigger point injection. Um and that can happen.

That's a known complication. Um you know, again, we've had a few cases. We What we see more often than not is actually refund cases. Where it didn't work for a patient, say they signed up and did say a a $20,000 program or 20 or $40,000 program, depending on whatever you guys sold it for. And you know, much like a plastic surgeon, there's buyer remorse, right?

Somebody had a facelift and they look in the mirror like, well, I I don't look the way I should, right? Maybe the stem, you know, stem cell treatment didn't exactly go exactly what they thought it was going to be. So, they're demanding a refund. And more often than not, it's kind of funny, it always comes from the family of the patients, not from the patient themselves.

Um but um those That's the kind of stuff we see. The one The one big thing is is the the license defense. The Board of Medicine A lot of the different state Board of Medicine has uh been very active as far as going after clinics, especially chiropractor mixed practices. We see that more often than not, unfortunately.

Um so, that's where the primarily as far as the the claims activity that we see um out of the program is not a professional like a an actual patient treatment driven thing. It's more of a a complaint. So, that's a cautionary tale. Again, I I'm I'm I know I give old school safety [music] briefings, but to be perfectly honest with you, that's something just to be aware of if you are a medical director.

Um remember, you are the captain of the ship and you are ultimately responsible. You're Just be aware on that.