

Employee Benefits & Managed Care Briefs

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New COBRA notice rules by DOL delayed until next year

WASHINGTON, D.C. — The U.S. Department of Labor's Employee Benefits Security Administration (EBSA) has promised the employee benefits community that the department will provide adequate time for group health plans to comply with final rules on the notice requirements of the Consolidated Omnibus Budget Reconciliation Act (COBRA).

Assistant Secretary of EBSA Ann L. Combs said the department intends to give group health plans six months after adoption of final rules to implement administrative changes required by the new rules.

The final rules are expected to be issued early next year, according to Combs.

In the interim, plan administrators may use the model notices contained in the proposed regulation to satisfy their COBRA notice obligations, although they are not required to do so, said Combs.

The notice requirements are available at www.dol.gov/ebsa. □

Oxford audits hundreds of mental health professionals

NEW YORK (AP) — Oxford Health Plans has demanded the repayment of thousands of dollars from mental health professionals, claiming their notes documenting therapy sessions are inadequate.

The insurer has audited hundreds of psychologists, psychiatrists and social workers, who said the move is one of many strategies intended to cut costs by denying claims, The New York Times reported.

"To say that we're going to reject a record because it's missing some particular element or it's too short, we've never seen that," Seth Stein, executive director, the New York State Psychiatric Association, told the Times. "And to do it retroactively is absurd and unfair."

The company audited 300 therapists in the region, sending out letters that in some cases demanded as much as \$100,000 in repayment, the Times said. In many cases the company complained that notes were not detailed enough.

Oxford spokeswoman Maria Gordon-Shydlo said that the audit was "to ensure that physicians are being billed appropriately for delivered services and maintain proper documentation."

Providers said there have never been set rules for taking notes, and that the move could change the nature of their work by making patients feel they must censor what they say if detailed written records can be viewed by others. □