

Dear Chairman Nosse and Members of the  
House Committee on Behavioral Health and Health Care:

My name is Lesley Burke and I am an LPC in Portland Oregon and have been practicing for 18 years.

I am writing this letter in support of HB2029.

Random insurance audits are abusive and unfair and limit access to care to the people of Oregon. Many therapists have decided to stop taking insurance due to the practice of auditing records randomly, or for the frequent use of our most commonly used procedure code for one hour therapy (90837). While I understand the need for auditing in the case of suspected fraud, subjecting small practice owners to random and unnecessary audits creates hardship for therapists and reduces access for clients. This practice drives therapists away from participating in insurance panels out of fear of losing our businesses due to time consuming audits or financially devastating clawbacks.

Currently in Oregon, there is no limit to the amount of time that can pass for an insurance company to issue a recoupment or “clawback” of funds already paid for services rendered. Providers generally have a few months to submit claims to be paid, but insurance companies are legally able to take back funds if they determine at a later date (even years later) that they made a mistake in determining coverage and paying for services.

Even with pre-authorization, there is no guarantee that years later an insurance company may not recoup the funds. There is no recourse for us other than to request payment from a client who may have ended services years ago, or who may not be able to pay. In reality most clients do not pay and this has caused therapists to sustain significant financial losses, and fear of this risk leads to many therapists choosing to not take insurance at all which limits access to care for Oregonians. We need a reasonable time limit on recoupment, similar to that in other states.

Please help stop these practices.

Thank you for supporting this bill.

Sincerely,  
Lesley Burke LPC