

# Minnesota Board of Dentistry

*"To ensure that Minnesota citizens receive quality dental health care from competent dental health care professionals."*

# Updates

Fall 1999 Volume 15, Number 2



## ANNUAL RENEWAL FEES REDUCED!

At its September 1999 public meeting, the Board of Dentistry voted unanimously to **lower** its annual license and registration renewal fees. The license renewal fee for dentists will be **\$155** (down from \$168); the dental hygiene license renewal fee will be **\$50** (down from \$59); and the registration renewal fee for dental assistants will be **\$35** (down from \$40). These new fees will be shown on the renewal application forms that will be mailed in late November 1999.

The Board is very pleased to announce this first-time-ever fee reduction. For the past several years, Board members and staff have made a concerted effort to closely monitor all revenues and expenditures. One of the Board's most important responsibilities is complaint resolution and the issuance of disciplinary orders. Thus, one of the largest expenses for the Board is its legal and investigative services provided by the Attorney General's Office. As reported in previous issues of *Updates*, the number of complaints received by the Board has dropped from a high in 1993 of 330 to about 200 per year currently. Likewise, the annual expenditure for legal services has declined.

The Board will continue to watch its revenues and expenses closely, making adjustments as needed. The fee reduction is calculated to provide sufficient resources to allow the Board to operate efficiently and effectively, take appropriate disciplinary action whenever warranted, and provide for ongoing technological development.

### WATCH FOR IT!

#### A New Look for Annual Renewal Forms

A major project throughout 1998-99 has been the updating of the Board's computer database, hardware, and software. As a result, the annual renewal application forms will look different this year. No longer will you receive the old, "tear-off" form when it comes time to renew your license or registration. This year, you'll get a white, windowed envelope marked with red lettering: "IMPORTANT - Annual License Renewal."

The renewal application questions will be the same as those asked in the past, as will the Department of Health's questionnaire. **Please call the Board office if you have not received a renewal application by December 10<sup>th</sup>!** Your completed renewal application must be received at the Board office or postmarked by **December 31<sup>st</sup>** in order to avoid a mandatory late fee.

#### **Board Meeting Dates:**

**December 10, 1999 (changed from 11/5/99)**

**January 21, 2000**

**March 31, 2000**

**June 9, 2000**

**September 8, 2000**

**November 10, 2000**

**All meetings start at 8:30 a.m.**

### Visit the Board's Web Site!

Our Web site has been published, and we've received many favorable comments on its content. We will continue to add more information to the site, which can be found at **dentalboard.state.mn.us**. If you have general questions about the Dental Practice Act, continuing education requirements, or how to file a complaint with the Board, then the Web site has the answers!

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## Insurance Fraud

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One of the grounds for discipline in the Minnesota Dental Practice Act is “fraud or deception in connection with the practice of dentistry.” Board of Dentistry rules specify “charging for services not rendered,” “falsifying records relating to payment for services rendered,” and “perpetrating fraud upon patients, third-party payers, or others relating to the practice of dentistry” as constituting grounds for discipline.

Through the years, the Board has received complaints alleging insurance fraud, and in fact, has taken disciplinary action on such matters. Board members have referred to the following article (reprinted here with permission from *Dental Economics* – October 1998) for guidance in better understanding insurance fraud. Their hope is that other dental practitioners may also find the information useful.

### ***Eight examples of fraud?***

***By Carol Tekavec***

Many dentists and staff have questions regarding billing practices and insurance. While individual insurance carriers may have many requirements for paying claims, these typically are contract rules, referring only to the specific company and contract. A dentist may be in violation of a contract he or she has entered into with a third-party carrier, such as Delta, without actually committing fraud.

The following eight situations commonly constitute actual insurance fraud. (*You must contact your state insurance commissioner for complete clarification. Fraud situations may vary from state to state.*)

#### **1. Billing for services not performed**

This situation seems self-explanatory, but may be more complicated. Obviously, it would be fraudulent to bill for a procedure that you have not performed. What about billing for a crown at the prep date rather than the cementation date? When is the service actually performed? Most dentists send in for payment for crowns at the prep time; but, most insurance carriers consider the crown “complete” only after it is cemented. The patients’ benefits manual will indicate contract specifications. (Usually, if a crown is prepped, but never cemented, the dentist is entitled to partial payment from the insurance carrier. Honest disclosure of the situation normally is all that

is required to avoid problems between the carrier and the dentist.)

#### **2. Upcoding**

This refers to coding a procedure as having a more extensive degree of difficulty than actually performed. For example: A patient receives a standard prophylaxis (01110), but the insurance carrier is billed for periodontal scaling and root planing (04341).

#### **3. Waiver of co-payment**

Patient co-payments are considered to be an essential element to the cost structure of the contract between an insurance carrier and whomever is purchasing the coverage (such as an employer for employees). Waiving co-payments is thought to encourage more usage of the coverage than would normally occur, skewing the original cost structure. In some states, waiving co-payments may be legal under certain conditions.

#### **4. Waiver of deductibles**

As in the case of co-payments, deductibles are considered to be essential to an insurance carrier’s contract cost structure. In some states, waiving deductibles may be legal under certain conditions.

#### **5. Altering dates of service**

The correct date a procedure is performed is important as related to patient eligibility requirements and waiting periods. It is

fraudulent to send in a claim for a treatment using a date other than the actual date of service. If a patient asks a dentist to send in a claim using a date other than the actual treatment date and the dentist does so, both the dentist and the patient have committed fraud.

#### **6. Unbundling or improper use of codes**

It is considered fraud to use several codes (unbundling) to describe a service on a claim where one code is sufficient. For example: A dentist performs a one-surface occlusal amalgam. He or she sends in a claim for 09210-Local Anesthesia; 09430-Office Visit; 02140-Amalgam-One Surface; and 03120-Pulp Cap-Indirect, when Code 02140 Amalgam-One Surface is sufficient. (Unbundling is a difficult and controversial concept.)

#### **7. Misrepresenting patient identities**

Obviously, performing treatment on one patient and sending in a claim for that person as someone else is fraud.

#### **8. Not disclosing existence of additional or primary coverage**

Patients who are covered by more than one dental plan or a medical and dental plan may receive benefits from all plans, provided each plan knows about the others. Sending in multiple claims to different carriers as if they were each the primary carrier is fraudulent.

Contact your state insurance commissioner for complete information on insurance fraud in your state.

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## Complaint Resolution

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#### **Recent Disciplinary Actions:**

Crystal Barth, RDA  
Registration No. A7236  
Thief River Falls, MN  
Order for Unconditional Registration  
9/10/99

Martin Duchscher, DDS  
License No. D10674  
Thief River Falls, MN  
Order for Conditional License  
9/10/99

David P. Carlson, DDS  
License No. D9415  
Minneapolis, MN  
Order for Suspension  
9/10/99

Robert J. Johnson, DDS  
License No. D7958  
Woodbury, MN  
Order for Suspension  
9/23/99

#### **Definition of Terms:**

*Conditional license* – licensee may continue to practice but must meet specific conditions in the order

*Limited license* – licensee may continue to practice but may not perform certain procedures specified in the order

*Suspended license* – licensee may not practice for a specified length of time or until certain conditions are met

*Unconditional license/registration* – all terms of the order have been met, the individual's license/registration is fully restored, and s/he may practice without special conditions or restrictions

If you have a name or address change you must inform the Board in writing within 30 days of the change. Practicing dentists are required to have their primary practice address on record with the Board. All others may list a home address.

**NAME AND/OR ADDRESS CHANGE**

Name (last, first, middle)	Former Name (if applicable)
<b>New Address</b> Street:  City/Town: State: Zip Code:	Former Address (if applicable) Street:  City/Town: State: Zip Code:
MN License/Registration Number	Daytime Phone Number
Signature (Required):	Effective Date:



Please cut along dotted line and mail to the Board office.



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