



by Freddy Groves

Confusion over payment for non-VA medical care

Let's hear it for whistleblowers, especially when big money is involved, and most especially when some of that money should have gone into the pockets of veterans.

Specifically, starting in 2001, non-VA medical providers and veterans had 90 days to file for reimbursement for veterans who had sought emergency care. Then in 2022 the Cleland-Dole Act added the requirement that non-VA providers submit payment requests within 180 days for providing nonemergency care. However, there was no mention of veterans having that same 180-day time limit to file for reimbursement, or any time limit at all.

The VA continued, however, to apply the original 90-day payment limit.

Enter the VA Office of Inspector General because of the whistleblower. When asked, the VA identified 78,000 claims — to the tune of \$373 million — that had been denied because they didn't meet the 90-day limit. And no, they hadn't reviewed those 78,000 denied claims. Apparently there was confusion due to the fact that the law was written to give non-VA providers that 180 days, but not veterans.

Further confusion (or so it was said) arose because it wasn't clear whether the 90-day filing period should begin on the date of discharge, the date of a veteran's death during emergency treatment or the date it became clear that a third-party payer would not cover the claim. The VA sought clarification from the policy department ... and promptly dropped the ball, not pursuing answers.

The VA began processing those claims, leaving it to the individual claims processors to decide whether they would use the 90- or 180-day limitation.

If you need to get emergency care at a non-VA medical facility, there are some rules you need to know so it will be paid for. You can read the info at www.va.gov/resources/getting-emergency-care-at-non-va-facilities so you'll know what you should do in an emergency. For example, going to urgent care doesn't count. And someone needs to tell the VA within 72 hours that you've had a medical emergency. You can notify the VA at 844-724-7842.

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257

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