

## PROFESSIONAL COURTESY

### Is professional courtesy prohibited by law in Washington?

No. A physician may provide care free of charge or at reduced rates as a professional courtesy to other physicians and their families. Offering professional courtesy is not an ethical requirement according to the American Medical Association.<sup>1</sup>

A physician should be careful, however, about extending professional courtesy by forgiving coinsurance or copayments, as forgiveness of coinsurance or copayments may be forbidden by certain managed care contracts. Moreover, routine waiver of Medicare deductibles or coinsurance is prohibited.<sup>2</sup> The Office of the Inspector General of the Department of Health & Human Services has stated that routine waivers of Medicare deductibles and copayments are unlawful because they result in:<sup>3</sup>

- False claims;
- Violations of the anti-kickback statute; and
- Excessive utilization of services paid for by Medicare.

See also **BILLING.**

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<sup>1</sup> AMA Ethical Opinion 6.13, available at: <http://www.ama-assn.org/ama/pub/physician-resources/legal-topics/regulatory-compliance-topics/health-care-fraud-abuse/professional-courtesy-in-context-health-care.page>, last visited May 31, 2012.

<sup>2</sup> 42 C.F.R. § 1001.952(h)(5)(iv). See also: Office of Inspector General Special Fraud Alert: *Routine Waiver of Copayments or Deductibles Under Medicare Part B*, Issued May, 1991, 59 Fed. Reg. 242 (1994).

<sup>3</sup> Office of Inspector General Special Fraud Alert: *Routine Waiver of Copayments or Deductibles Under Medicare Part B*, Issued May, 1991, 59 Fed. Reg. 242 (1994).