

Humana, Inc. Settlement Step-by-Step Compliance Dispute Procedure

This summary has been prepared by Carol Scheele, Humana Compliance Dispute Facilitator. While efforts have been made to include information likely to be of interest to most physicians, the actual settlement documents are much more extensive, contain the definitive settlement terms and should be consulted in the event of questions or if a specific situation is not addressed. Questions about the settlement may be directed to Whatley Drake & Kallas LLC at (866) 809-8003 or visit www.hmosettlements.com.

Listed below are the steps to take to challenge a violation of the terms of Section 7 of the Humana Settlement Agreement. Section 7 lists the business practice changes to which Humana has committed.

1. Any physician who has not opted out of the Settlement may file a compliance dispute with the Compliance Dispute Facilitator (the "Facilitator"). Compliance disputes must be filed within 90 calendar days of the date the dispute arose or after the physician reasonably became aware of the dispute, whichever is later.
2. Signatory Medical Societies also have standing to file complaints on behalf of their members and assist physicians from any state on these settlements. "Additional Signatory Medical Societies" may also assist in some settlement agreements. For a list of these societies, see www.hmosettlements.com.
3. The compliance dispute form and Section 7 of the Humana Settlement Agreement are also available at www.hmosettlements.com and www.ncmedsoc.org.
4. The compliance dispute form must be filed by the physician (or his or her office staff) and must include the physician's signature. The form should describe, using specific facts, the health plan's conduct which he or she believes constitutes a material breach of the health plan's obligation under Section 7 of the Agreement. The physician should also specify which provision of Section 7 has been breached, and describe how he or she has been harmed by the breach. The Signatory Medical Societies may assist in developing the description.
5. The physician should attach any supporting documentation to the form including any correspondence between the physician and the health plan, EOBs and any relevant records in order for the Facilitator to determine the merits of the complaint.
6. The completed form and attachments should be mailed to the Compliance Dispute Facilitator at the address below. No fee is required.
7. After the Facilitator receives the compliance dispute form, the Facilitator will contact the physician to advise whether the form is properly completed, and to obtain any additional documentation or other information.
8. The Facilitator will review the compliance dispute form to determine that the dispute is not frivolous, cannot easily be resolved and is not a matter to be resolved by the dispute processes provided for in Section 7.10 or 7.11 of the Humana Settlement Agreement.

9. The Facilitator will handle the dispute on the physician's behalf without charge, and keep the physician informed as the compliance dispute process takes its course.

The address for the Facilitator is: Carol Scheele, Associate General Counsel, c/o North Carolina Medical Society, 222 North Person Street, Raleigh, NC 27601. Telephone: 919-833-3836 Fax: 919-833-2023 email: cscheele@ncmedsoc.org.