

## United Healthcare Penalizes Referring Physicians for Not Using In-Network Labs

Effective July 1, 2020, some United Healthcare (UHC) commercial members will no longer enjoy benefits of out-of-network Laboratory, Dialysis and DME services.

UHC is requiring physicians and other qualified health care professionals to inform its members when involving an out-of-network provider for non-emergent services. The consequences for not obtaining the members consent for an out-of-network (non-emergent) service could result in violation of the agreement, and possibly state law.

To get a member's written consent to involve an out-of-network care provider, you must use the "[Member Consent for Referring Out-of-Network form](#)." The member must acknowledge that you:

1. Summarized the reason you are referring them to an out-of-network care provider,
2. Disclosed whether you have a financial interest in, or relationship with, the care provider to whom you are referring the member, and
3. Explained that the member may have additional costs as a result of your referral.

It's important that Pathology and Laboratory groups who are out-of-network with United Healthcare are aware of this policy and communicate this with their provider base.

In a related manner, Anthem Colorado is also reminding its referring physicians to use LabCorp as their preferred lab provider. This relationship with LabCorp does not affect network hospital-based lab service providers, contracted pathologists, or contracted independent laboratories.

In addition, Anthem reports that there are some non-participating laboratories that are offering to waive or cap copayments, coinsurance or deductibles to members in order to increase their overall revenue. This practice may present violations under state or federal anti-kickback laws and may constitute abuse of health insurance under the Colorado criminal code.

As we learn more about this policy, APS will keep you informed and updated. Should you have any questions, please contact your APS Practice Manager.