

Medical fraud tarnishes doctors' image

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This is in response to "Doctors took MRI kickbacks, suit says; State alleges fraud costs insurers, patients millions" (Page 1, Jan. 18), by Tribune staff reporter Bruce Japsen. This article has exposed to the public what many diagnostic radiologists have suspected for quite some time: The lease agreements made between outpatient imaging centers and their referring physicians at best operate on the fringes of the law and serve primarily to offer financial incentives for patient referrals.

The American College of Radiology has for years lobbied Congress- -albeit unsuccessfully--to eliminate the loopholes in the federal Stark laws that have to date permitted these lease arrangements. It is much to Illinois Atty. Gen. Lisa Madigan's credit that she is using a novel and potentially more productive tactic: calling it consumer fraud.

Organized radiology, including the ACR and its local chapter, the Chicago Radiological Society, supports these efforts as we hope they can decrease unnecessary medical imaging and the resulting harm done to patients and the economy. Unfortunately Madigan has only found the tip of the proverbial iceberg. Unnecessary medical imaging is not limited to lease agreements. It also occurs through another loophole in the Stark laws, the in-office ancillary exception, which allows physicians to image patients on equipment they own if it is physically located within the confines of their offices.

While the potential fraud involved here is harder to prove, the economic impact cannot be disputed. In testimony given before Congress in 2005 by the immediate past chair of the ACR Board of Chancellors, Dr. James Borgstede, an analysis of Medicare claims data from 2000 to 2003 revealed that in-office MRI performed by non- radiologists grew at a dollar rate of 28 percent per year, compared to 13 percent per year when performed by radiologists.

The motto of the ACR has been "quality is our image." While this image may be suffering short-term damage from recently publicized events, the diagnostic radiology community is confident that our image will only be enhanced in the long run once all of the dirty laundry is aired.

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Abstract (Document Summary)

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