



LEGAL Q&A

Q Is my medical practice subject to the FTC's identity theft red flag regulations?

A Unless you require all patients to pay in full at the time you provide medical treatment, your practice may very well need to comply with the Federal Trade Commission's identity theft red flag regulations. The FTC has taken the position that a health care provider who provides treatment to a patient, bills the patient's insurance company, and then bills the patient if the services are not covered, is a creditor under the rules. If you are subject to the regulations, you must perform a risk assessment of your practice relating to identity theft, and develop and implement a written program to detect, prevent and mitigate identity theft. The FTC has delayed enforcement of the rules until May 2009 to allow health care providers time to comply with the rules.



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