

# Illinois State Medical Society



## MEMORANDUM

**TO:** Honorable Members of the House Health Care Licenses Committee

**FROM:** James E. Tierney, Vice President  
Robert John Kane, Legal Counsel  
Kimberly B. Janas, Assistant Vice President  
Erin O'Brien, Assistant Vice President

**RE:** Oppose House Bill 1359

**DATE:** March 9, 2015

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**The physician members of the Illinois State Medical Society respectively urge you to vote “NO” on House Bill 1359, which proposes to automatically suspend a professional’s license whether or not the professional intentionally or deliberately committed Medicaid or Medicare fraud.**

The Medicare and Medicaid reimbursement rules, encompassing over 200,000 pages, are confusing and at times contradictory. Unintentional mistakes and simple billing errors, which may or may not be done by the professional, can result in a fraud conviction. Billing errors or disputes should not result in what amounts to a loss of a license to practice one’s profession.

Currently, professional licensing laws already provide sufficient grounds for the Illinois Department of Financial and Professional Regulation to seek to discipline professionals for fraudulent billing with the professional being afforded the right to due process in an administrative hearing.

This bill would strip IDFPR of its responsibility and remove the due process afforded to health care professionals.

**For these reasons, we respectively urge you to vote “NO” on House Bill 1359.**