

Identifying and Defending Against New Litigation Tactics

Outline

- I. Introduction 0:00 – 0:03
- II. Trial Trends 0:03 – 0:15
 - a. What are we seeing in terms of claim buildup
 - i. Early policy demands
 - ii. Reptile Theory/Waiver of Specials
 - iii. Injections
 - iv. TMJ/TBI/Ear Injuries
 - v. Radiographic Fraud Scams
 - vi. Upcoding
 - b. What else are we seeing?
 - i. Durable medical equipment issues
 - ii. Billing for services not rendered
 - iii. Double billing
 - iv. Factoring companies
 - v. Examples
- III. Early Policy Demands 0:15 – 0:20
 - a. Why are they served?
 - b. How to appropriately respond
- IV. Reptile Theory A-Z 0:20 – 0:30
 - a. What is it?
 - b. When will you see it?
 - c. How to deal with the reptile theory in discovery
 - d. How to deal with the reptile theory in trial
 - e. How can we fight back?
 - f. Why waive special or economic damages?
 - g. What is anchoring?
 - h. How do you argue against this tactic?
- V. Injection Fraud 0:30 – 0:40
 - a. Billing for epidurals but performing trigger point injections
 - b. Charging anesthesia when not required
 - c. Charging facility fees when not required
 - d. Performing unnecessary injections
 - e. Upcoding
- VI. Plaintiff Litigation Trends 0:40 – 0:45
 - a. TMJ
 - b. TBI
 - c. Ear Issues
 - i. War Story
 - d. Syringomyelia
- VII. Radiographic Fraud Schemes 0:45 – 0:50

- a. Stand up MRIs
- b. New MRI trends
- c. Upcoding

VIII. Other Issues

0:50 – 0:55

- i. Durable medical equipment
- ii. Billing for services not rendered
- iii. Double billing
- iv. Factoring companies
- v. Examples

VIII. Questions

0:55 – 1:00

EXAMPLE