Concierge Medicine: Key Legal Considerations
Complying With Medicare Regulations, Insurance Laws and the Anti-Kickback Statute

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Today’s faculty features:
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Concierge Medicine: Legal Issues, Ethical Dilemmas, and Policy Challenges

Robert M. Portman and Kate Romanow

ABSTRACT: The practice of “concierge” or “retainer” medicine is growingly steadily due to economic and legal pressures on physicians. This practice model, which typically involves charging access or subscription fees to a limited pool of patients, raises legal hazards, contractual challenges, and ethical dilemmas for physicians interested in converting to concierge medicine, as well as important health policy questions. This article examines these legal and contractual issues, and discusses some of the ethical and policy implications of this relatively new form of medical practice. The authors conclude that this innovative practice form provides a beneficial alternative for patients seeking more personal, proactive, and/or intensive medical care. As concierge medicine proliferates, a wider range of practice models and fee structures should make this approach more affordable to lower and middle income patients—and help satisfy the need for greater access to preventive healthcare. Health policy makers should take steps to encourage this outcome.

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