Dear WCD Rulemaking Advisory Committee,

Thank you for the opportunity to submit additional written comments regarding Issue #6 and the proposed reduction of the interpreter billing deadline from 12 months to six months.

I am writing on behalf of Professional Interpreters, Inc., an Oregon-based language services company that has served medical providers and patients throughout Oregon for 20 years.

We understand and support the importance of timely billing and efficient claims administration. However, we have significant concerns about reducing the current 12-month billing deadline to six months without addressing the circumstances that frequently delay interpreter invoicing.

The challenge is not simply preparing an invoice. It is obtaining the accurate information necessary to bill the correct responsible party.

Challenges in the Current Billing Process

Our agency regularly encounters the following situations:

Interpreter service verification: Following an appointment, we must obtain confirmation of the actual time worked from the assigned interpreter. Occasionally, this information is delayed.

Initial billing to the medical provider: When the requesting clinic does not identify an appointment as workers' compensation-related, we invoice the clinic based on the information available.

Delayed identification of workers' compensation coverage: The clinic may take 30 days or longer to review the invoice before notifying us that the appointment should have been billed to a workers' compensation insurer.

Additional requests for billing information: Once the appointment is identified as workers' compensation-related, we must obtain the insurer's name, claim number, and other information necessary to redirect the invoice.

Incomplete or inaccurate information: Some providers do not respond promptly, may not have the necessary information readily available, or provide incorrect information, requiring additional follow-up.

Even under relatively favorable circumstances, three months may pass before an invoice reaches the correct workers' compensation insurer. More complicated situations can take considerably longer.

These delays are not necessarily caused by the interpreter agency, yet the agency bears the financial consequences.

Recommendations

We respectfully request that WCD consider the following:

1. Retain the 12-month deadline for interpreter invoices.

Interpreter services involve unique billing challenges because agencies often rely on third parties for accurate information and to bill for services before interpreter services can be approved. Maintaining the existing deadline would provide reasonable protection against circumstances outside the agency's control.

2. Preserve and clarify good-cause exceptions.

If the deadline is reduced, the rule should explicitly recognize delayed, incomplete, or inaccurate information from medical providers, insurers, or other responsible parties as potential good cause for extending the billing deadline.

3. Establish clear responsibilities for requesting medical providers.

We recommend that WCD consider language requiring medical providers who request interpreter services to:

Identify whether the appointment is workers' compensation-related at the time of scheduling, when that information is known.
Provide the workers' compensation insurer's name, claim number, and available billing information.
Promptly notify the interpreter agency when an appointment initially identified as a regular medical visit is subsequently determined to be workers' compensation-related.
Respond within a reasonable period to requests for missing or corrected billing information.

When information is not yet available, the provider should communicate that fact and provide updates when the information becomes available.

4. Protect invoices submitted in good faith to the requesting provider.

When an interpreter agency initially invoices a medical provider based on the information supplied, the agency should not lose its right to payment solely because the provider later identifies a different responsible payer.

The rule should permit correction and redirection of such invoices without automatically treating them as untimely.

5. Recognize documented efforts to obtain billing information.

Interpreter agencies should be permitted to demonstrate good-faith efforts through emails, billing records, follow-up requests, and other documentation.

When the agency has made reasonable efforts to obtain the necessary information, delays caused by third parties should not automatically result in nonpayment.

Suggested Rule Language

We respectfully propose that WCD consider language substantially similar to the following:

“When a medical provider requests interpreter services for an appointment known to be related to a workers’ compensation claim, the requesting provider shall furnish the interpreter service provider with available information reasonably necessary for billing, including the responsible insurer’s identity and claim number, when known.

“If the workers’ compensation status or billing information is unavailable at the time of scheduling, the requesting provider shall provide such information within a reasonable time after it becomes known.

“Delays in submitting an interpreter invoice resulting from incomplete, inaccurate, or untimely information supplied by a requesting medical provider, insurer, or other responsible party may constitute good cause for an extension of the billing deadline when the interpreter service provider demonstrates reasonable efforts to obtain the information.

“An interpreter invoice initially submitted in good faith to the requesting medical provider may be corrected and redirected to the responsible workers’ compensation insurer without forfeiture of payment solely because the applicable billing deadline has elapsed, provided the interpreter service provider has acted with reasonable diligence.”

Closing Comments

Professional interpreters provide an essential service to injured workers who need language assistance to understand medical instructions, communicate symptoms, participate in treatment, and navigate the workers’ compensation system.

Interpreter agencies should be accountable for timely and accurate billing. However, they should not bear the entire financial risk when the information necessary to submit an invoice is controlled by other parties.

We respectfully encourage WCD to consider both the billing deadline and the responsibilities of medical providers who request interpreter services.

Thank you for your time, consideration, and commitment to a fair and effective workers' compensation system in Oregon.

Sincerely,

DeAnna Tapia
President/CEO
Professional Interpreters, Inc.
Salem, Oregon