



# LAW1199.COM NEWSLETTER™

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## THE PUSH SHOULD BE FOR THE BEST MEDICAL CARE; HOME MEDICAL CARE: GOOD OR BAD?

By Scott A. O'Mara

Workers' Compensation was established to provide workers who have job-related injuries the right and the opportunity to receive the medical care they need to cure or relieve the effects of their injuries. Unfortunately, however, many changes have occurred which place an encumbrance upon workers attempting to obtain that care. These changes are discussed in the attached newsletters ([Law1199.com Newsletter 2022 Issue # 8](#) and [Law1199.com Newsletter 2019 Issue # 3](#)).

New corporate medical platforms are developing which can manage and impact the medical care provided to injured workers to cure or relieve the effects of their injuries. For example, CVS Drugstores is a corporate entity under the name of CVS Health Corporation. It is one of the largest health care companies, if not the largest, and it has taken several expansive moves to acquire health providers and bring them within the corporate entity of CVS.

Further examples include the following:

- (1) Walgreen, operating under the corporate name of Walgreen Boots Alliance, has finalized a deal to purchase CareCentrix, Inc., another home health care platform. This action gives Walgreen a large role in the provision of home health care.
- (2) United Health has agreed to purchase LHC Group, Inc. — one of America's largest home health firms — for about \$5.4 billion.
- (3) Humana, Inc. agreed last year to take full control of the home health provider known as Kindred at Home.

CVS Drugstores is now in the process of acquiring Signify Health Insurance for a purchase price of \$8 billion dollars. The purchase of Signify Health Insurance follows the plan of CVS Drugstores to acquire approximately 10,000 doctors under contract with CVS. CVS Drugstores also has purchased and controls AETNA as of 2018. These actions expand the role of CVS as a major health care provider which has doctors working for them. No longer are they just a drugstore which sells pharmaceutical products.

Currently, Signify Health Insurance doctors go to patients and provide analysis and treatment. According to information provided, Signify Health Insurance doctors currently provide care for more than 2,500,000 patients in the form of home health treatment. The expansion of CVS Drugstores by purchasing Signify Health will be a major additional source of income for CVS pharmaceutical stores. In all likelihood, the doctors working for CVS Drugstores will send their patients to CVS to obtain their medications.

The impact of this corporate expansion by CVS — and other firms, as noted above — on injured workers' access to medical care is a subject which needs to be reviewed and discussed. *Corporate goals may not be in line with the goal of providing proper and appropriate medical care for injured workers.* This is not to say that many corporate entities have not provided good care, but a review of the current situation — especially based upon the actions of such corporations as CVS — is definitely worthy and demanding of follow-up.

*The current Workers' Compensation system needs to be revised and updated — not for profit, but to fulfill the goal of providing proper and appropriate care for injured workers to cure or relieve them of the effects of their injuries.*

The power of CVS and other major corporate entities has become a significant factor which will impact the medical care needed by injured workers to cure or relieve the effects of their job-related injuries. Therefore, the concern regarding the growth and expansion of these corporate entities is not simply an effort to review the profits they are making as a result — the concern is the need to create an awareness as to the potential impact of these corporate takeovers on injured workers. Many unions and employee associations have their own medical plans and should be aware of these takeovers and *keep in mind the necessity of medical coverage to provide protection for injured workers.*

***Education regarding this matter is a necessity, as is education regarding the entitlement of injured workers to medical care to cure or relieve the effects of their job-related injuries — which clearly should be the driving force in this matter.*** Unions and associations — through their boards and their members — must have awareness and input as to the “medical takeovers” by CVS and other corporations, and they should ensure that the medical care provided to injured workers always meets the legal standard which has been established.

***The push for profit is not — and should never be — the goal. The push should always be for medical care to cure or relieve the effects of job-related injuries and conditions.***

Recently, the push for profit created a very disturbing situation when a doctor went after “flash money” and pled guilty to accepting more than \$3,000,000 in kickbacks. He failed to provide the medical care needed by injured workers and destroyed his own practice — and his family as well.

The impact of corporate expansion into the realm of medical care — and its impact on providing the care needed by injured workers — is not necessarily a devastating factor, but it is clearly one which needs to be reviewed and examined by the recipients of the care provided, as well as the unions and associations directly or indirectly involved in ensuring that injured workers receive the appropriate care to which they are legally entitled when they sustain a work-related injury. There may be limits to the distance a patient must travel to receive care because of the worker’s medical condition, and the worker must be protected from the employer or carrier sending someone to “spy” on the patient while home health care is being provided.

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**NOTICE:** Making a false or fraudulent Workers' Compensation claim is a felony subject to up to 5 years in prison or a fine of up to \$50,000 or double the value of the fraud, whichever is greater, or by both imprisonment and fine

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