

In January 2023, NYSDA offered members the option to join its Legal Protection Plan. This plan offers an opportunity to safeguard your practice and protect yourself from the financial and emotional devastation of unexpected encounters with federal and state regulatory agencies, insurance companies, managed care plans and the Office of Professional Discipline.

The Legal Protection Plan is not insurance or an insurance plan. It provides legal coverage in exchange for a payment for potential claims, proceedings and/or investigations. It is designed to safeguard your practice and protect you from the financial and emotional devastation of unexpected encounters with federal and state regulatory agencies, insurance companies, managed care plans, and the Office of Professional Discipline.

Who will represent me?

NYSDA will administer the program, with legal services provided by Feldman Kieffer, LLP, specialists in health and business law. Firm founder and partner Andrew Feldman is a member of the NYSDA Legal Services Panel.

How much does it cost?

Members have the option of purchasing the half-year plan for the remainder of 2023 in two tiers: \$147.50 (regularly \$295) for \$7,500 in legal services; and \$197.50 (regularly \$395) for \$10,000 in legal services.

What does the plan cover?

- Sales tax audits
- OPD investigations
- Insurance company disputes alleging fraud or seeking repayments
- HIPAA and OSHA complaints and compliance
- Workers' Compensation challenges and investigations
- Defending claims involving identity theft issues
- Investigation/proceedings before IPRO and Office of Civil Rights
- Responding to audits and claim reimbursements by NYS or federal regulatory agencies, including Medicaid and Medicare

Plan Options	Coverage Amount	Membership Cost
LP01	\$7,500	\$147.50
LP02	\$10,000	\$197.50

** Rates are good for the remainder of 2023*

** Services will be provided at a discounted rate of \$175.00 per hour, billed to NYSDA until maximum coverage is reached.*

** You can now sign up online by scanning this QR Code:*



Plan details are on reverse side. For more information, contact Patricia Marcucia at 800-255-2100 extension 242.

YOU CAN STILL MAIL A COPY OF YOUR PAYMENT. PLEASE DETACH HERE AND RETURN THIS PORTION WITH YOUR PAYMENT.

LP01 \$147.50 LP02 \$197.50

Name: _____ ADA # _____

Address: _____

City: _____ State: _____ ZIP: _____

E-mail: _____ Telephone: _____

Please bill my credit card

Enclosed is my check payable to "New York State Dental Association"

Card Number: _____ Expiration: _____

Name on Card: _____ Security Code: _____

NYSDA Legal Protection Plan

The Legal Protection Plan is available to New York State Dental Association (NYSDA) members in good standing.

The Legal Protection Plan is designed to protect the legal and financial interests of dentists facing public and private administrative proceedings. The Legal Protection Plan is not insurance or insurance plan and is not the offering of an insurance plan.

The Legal Protection Plan provides legal coverage in exchange for a payment for potential claims, proceedings, and/or investigations before the New York State Education Department, Medicaid or Medicare, Workers' Compensation, the United States Office of Civil Rights (HIPAA), the New York State and New York City Divisions of Human Rights, New York State Sales Tax Bureau, New York State Department of Labor Employee Classification Bureau, United States Occupational and Safety Health Administration, Federal Trade Commission Identity Theft Bureau, IPRO, and any Health Maintenance Organization (HMO) or other insurance/managed care plan, provided that coverage for HMO and insurance/managed care plan issues relates only to claims, proceedings, and/or investigations where the HMO or insurer seeks to recover or recoup money from a dentist for fraud or similar alleged wrongdoing and not to ordinary billing disputes or routine denials of reimbursement claims.

Legal services are provided by Feldman Kieffer, L.L.P.

Participation in the Legal Protection Plan is secondary to any applicable insurance or other financial coverage a NYSDA member dentist has for the particular legal matter, and the Legal Protection Plan shall only be utilized when such other coverage has been exhausted.

Coverage for a legal matter is only effective for the Legal Protection Plan half year from July 1, 2023, through December 31, 2023, and the matter must fall within that timeframe and notice of such matter must be delivered to NYSDA while coverage is in effect in order for coverage to be provided. If a legal matter is outside the definition of the Legal Protection Plan as described in this provision, or coverage limits have been reached, Feldman Kieffer shall provide legal services to a member dentist at a preferred billing rate on a direct bill basis to the dentist client, provided that Feldman Kieffer determines the matter is one in which Feldman Kieffer can adequately represent the dentist client.

The Legal Protection Plan shall not cover criminal matters under any circumstances. Participation by NYSDA members in the Legal Protection Plan is subject to screening and approval by Feldman Kieffer and NYSDA, which screening and approval can, at a minimum, consist of review of prior usage and claims history with the Legal Protection Plan, review of any prior malpractice or professional discipline history, and review of any NYSDA ethics history.

Concierge Services

One of the benefits that is offered to members of the Legal Protection Plan is concierge legal services at a preferred billing rate through the law firm Feldman Kieffer, LLP located throughout New York State, through their four offices. These benefits are for select areas of practice, which includes the following:

1. Contract Review
2. Contract Negotiations with Insurance Companies
3. Landlord/Tenant Issues
4. Leases
5. Small Claims Matters
6. Collection Issues
7. Basic Wills
8. Health Care Proxies and Power of Attorney
9. One Hour Free Consultation

In order to obtain these services, they must be a member of the Legal Protection Plan. The preferred billing rate that they would receive would be \$175.00 per hour for these professional services that the member would be expected to pay.

When a member wants to take advantage of the concierge legal service program, they would enter into an individual retainer with the above-mentioned law firm, specifying the normal terms and conditions between Feldman Kieffer and the member.

These concierge legal services benefits are in addition to the normal benefits offered in the Legal Protection Plan.