

You Don't Need Glasses to See Thru This

By WILLIAM SHERMAN

(Fourth of a series)

A NEWS reporter with a medicaid card and 20-20 vision walked into a lower East Side optical center to have his eyes examined and discovered that what you see is not necessarily what you get. To put it another way, he got eyeglasses when they were not needed.

Accompanied by a NEWS photographer posing

MEDICAID PROBE



as his cousin, the reporter strolled into Sol Moscot Opticians at 118 Orchard St.

Five minutes earlier at the Delancey Medical Building across the street at 80 Delancey St., an optometrist had examined the reporter, who was in the same guise, and said, "You have 20-20 vision. You don't need glasses."

Once inside the Moscot offices, the reporter was directed upstairs to the second floor, where he met



NEWS photo by Evelyn Straus
Reporter William Sherman, who doesn't need glasses, with pair he obtained at lower East Side opticians (below).



a young receptionist at a desk and said, "I'd like to have my eyes examined."

"Are you medicaid?" asked the receptionist.

"Yes," he replied. The reporter had been issued a temporary medicaid card by the city as part of THE NEWS Medicaid Probe into abuses of the medical assistance program.

"Okay," she said, "give me your card and then go into that room and pick out the frames you want."

"I haven't had my eyes examined yet," protested the patient.

"Yes, I know, but it will save you and us time."

"Okay," said the reporter, and the receptionist escorted him to a rack of eyeglass frames.

Then the patient was directed to choose from the frames that the receptionist said "are for medicaid people only."

'How Are Your Eyes?'

He tried on a pair of thin brown frames without lenses and said, "I like these."

The receptionist then directed the patient outside into the waiting area.

Five minutes later, the door to a 5-by-10-foot examining room opened and a stocky balding man beckoned the patient inside and onto a chair in the back of the room.

"Ever wear glasses?" he asked.

"No," said the reporter.

"How are your eyes?"

"Perfect, I think."

"When was the last time you had them tested?"

"About four years ago."

"Okay," said the optometrist, Richard Fleissig. He turned out the lights in the room, shut the door

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and shone what appeared to be a tiny flashlight mounted on a thick barrel into the patient's eyes from a distance of about four feet.

Then he opened the door and directed the patient to read letters on a chart about 30 feet away.

Try Lenses

The patient read the letters on three lines of the chart. Fleissig put a model, or "trial," frame on the patient, and began slipping different lenses into the frame.

"Can you see better with these?" he asked.

"No, things look fuzzy."

"How about these?"

"No, not really."

Fleissig slipped in about three more sets of lenses and then the patient said he could "see better."

Fleissig handed the patient a piece of paper and said, "Give this to the people at the desk downstairs. Come back at 4:30, then you can pick up your glasses."

News Will Pay

On the way out, a woman measured the distance between the patient's pupils, and at 4:36 p.m. the reporter picked up his glasses.

The examination took about five minutes and, according to the Medicaid fee schedule, will cost \$8. The glasses will cost \$10. The cost of both will be paid to the city by THE NEWS, if the Health Department finds that the charges were legitimate.

Later, the reporter went to the Optometric Center of New York, 122 E. 25th St., where the Health Department has Medicaid patients' glasses examined.

Dr. Edward Johnston, an associate administrator of the center, examined the reporter for more than 30 minutes and gave an accounting of Fleissig's examination.

Tests Undone

Johnston found the following, based on the reporter's experience:

- Fleissig performed only about six of the 21 tests required under city Medicaid regulations.
- He tested for clarity at a distance but failed to test for near vision clarity.
- He did not test for binocularity, or how well the two eyes worked together.
- He failed to test for convergence, or the aiming of the eyes.
- He failed to test for accom-

modation, or focusing of the eyes.

- He did not take a proper case history.

Johnston also said that Fleissig did not check properly for pathology, a close examination of the eyes for abnormalities. Then Johnston carefully examined the eyeglasses themselves.

At the end of the examination, Johnston said, "I would not have prescribed you any glasses. In my opinion they are not necessary."

The reporter was not the only patient to receive unsatisfactory care, for Health Department surveys show that 50% of all glasses dispensed to Medicaid patients since the program was begun in 1966 have been unsatisfactory. Surveys also show that about 15% of all optometric examinations performed on Medicaid patients were unsatisfactory.

From 1969 through 1971, \$18,129,082 was paid to optometrists, many of whom do their own dispensing. During the same period \$2,176,751 was paid to ophthalmic dispensers.

Sol Moscot Opticians, the second highest biller for the first six months of last year, billed for \$56,010. The highest biller was the Sterling Lens Co., and from January through June 1972, it billed the city for \$95,224. A survey of Sterling's eyeglasses by the Health Department showed that of 66.7% were unsatisfactory.

Meanwhile, an investigation of Health Department records revealed that the reporter's optometrist, Richard Fleissig, had voluntarily suspended himself from the Medicaid program on Oct. 31, 1971, after department investigators found that he was billing Medicaid contrary to city regulations.

The Regulations

The investigation showed that Fleissig was not a self-employed optometrist, as required by Medicaid regulations, but that, in fact, his office was part and parcel of Sol Moscot Opticians, which dispensed nearly all of the glasses Fleissig prescribed. After October 1971, Fleissig joined Moscot as an employee.

Stuart Laurence, an attorney for the Health Department, explained, "We have this law so that no pressure is created on optometrists to prescribe glasses for patients who don't need them or to push people through examinations to fulfill an obligation to an optical company."

Fleissig billed Medicaid for \$41,064 in 1970 and \$43,491 in

1971, and during those two years Moscot billed for \$184,210. They were billing separately for the services that, the Health Department said, they were providing as a unit.

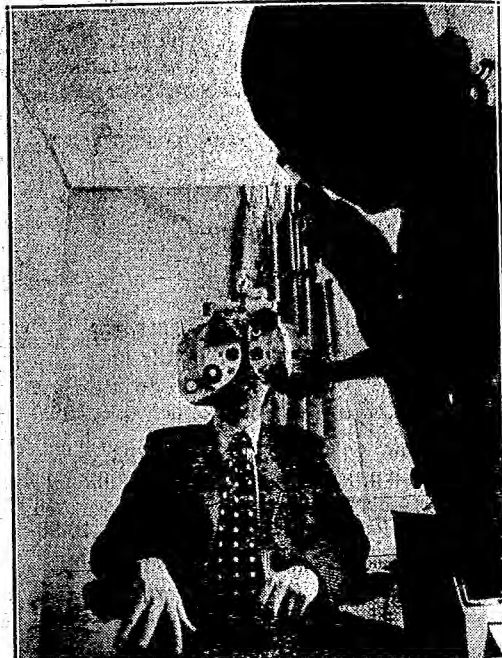
Furthermore, a lease between Fleissig and Sol Moscot, which was in effect since December 1967, said, "The lessee (Fleissig) shall pay to the lessor (Moscot) 80% of any moneys received by the lessee from the city, state, or federal governmental agencies for payment for eye examinations of patients receiving medical aid from said governmental authorities. The remainder of such fee shall be retained by the lessee."

In addition, Fleissig agreed "not to charge any customer an amount in excess of \$3 for an eye examination and to cooperate with the lessor in rendering such services to lessor's customers as he may be called upon from time to time."

After he "voluntarily suspended" himself from the Medicaid business, Fleissig went to work directly for Sol Moscot. They no longer bill separately, and now Moscot bills for both the eye examination and the glasses dispensed.

Fleissig said he receives "free rent" in return for examining Moscot's Medicaid patients. No action, other than a warning letter, was ever taken against Moscot opticians.

NEXT: How to save money when you're running a Medicaid drugstore.



NEWS photo by Mel Finkelstein
Dr. Edward Johnston of Optometric Center of New York tests reporter's eyes after he had come from Orchard St. optician.



NEWS photo by Mel Finkelstein
NEWS reporter visited opticians on Orchard St. to have his eyes examined.



NEWS photo by Mel Finkelstein
Dr. Edward Johnston examines glasses prescribed for reporter. Johnston said: "In my opinion, they are not necessary."