Healthcare Management Solutions, Inc.
presents

Physician Compliance Training

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A compliance program is a system of checks and balances that an entity establishes and monitors to ensure that government rules and regulations are being met appropriately.
Compliance Programs

- May apply to one government program or all government mandates:
  - Coding and Billing Compliance
  - Employment Law Compliance
  - OSHA Compliance
  - HIPAA Compliance
  - Other Government Mandates
Billing Compliance Program

♦ Checks and balances
  - Reduces potential audit exposure
  - Demonstrates a good faith commitment
  - Identifies revenue opportunities
  - Increases consistent use of policies and procedures
  - Improves communication
Implementing the Program
“A Plan to Plan”

♦ Start with physician buy-in

♦ Develop an action plan based on the seven steps to an effective compliance program

♦ Designate duties and responsibilities

♦ Agree to a timeline for action on the plan
Federal Sentencing Guidelines
Seven Criteria for Compliance Programs

1. Implement written policies and standards of conduct
   - The written plan including a code of conduct for employees
   - Practice policies and billing procedures based on OIG target “risk areas”
Implementing the Program

“The Written Plan”

- No set plan -- must be customized
  - Recommend a written policy on each of the OIG high risk areas

- Must be tested and monitored

- Must be revised as necessary
Federal Sentencing Guidelines
Seven Criteria for Compliance Programs

2 Designate a compliance officer or contact
Implementing the Plan
Compliance Officer

- Physician, manager or primary biller
- Commitment to the program
- Understands the issues
- Has the time to devote to the responsibilities of the position
- Has the resources (budget) to do the job
Implementing the Plan

Compliance Officer

- Develop a job description for the position
  - Establishes policies & procedures
  - Develops, coordinates training
  - Conducts internal monitoring; oversees external consultants
  - Reports findings to Executive committee
  - Initiates follow up action
Implementing the Plan

Compliance Officer

♦ Other Options

- Can appoint several “compliance contacts”
- Can share compliance officers with other entities
- Can outsource the role
Federal Sentencing Guidelines
Seven Criteria for Compliance Programs

3 Develop training and education programs

- By mandatory regular and effective training programs

- Use various styles of training
Communicate compliance updates to all employees
- Newsletters, bulletins, staff meetings
Federal Sentencing Guidelines
Seven Criteria for Compliance Programs

Perform internal and external audits and monitor compliance

- Monitor procedures
- Perform a baseline assessment
- Focus on risk areas
- Conduct periodic audits
Implementing the Program
Auditing and Monitoring

- Look at your practice and decide on the audit and monitoring areas that are important
- Prioritize your audits based on your data and known target area
Implementing the Program
OIG High Risk Analysis

♦ Coding and billing

- Proper use of modifiers
- Unbundling/Fragmentation
- Upcoding/default coding
- Misuse of provider numbers
- “Incident to” billing
Implementing the Program
Baseline Assessment

- Analysis of management reports and data
  - Utilization reports
  - Frequency of services by provider
  - Frequency by diagnosis
  - Referral by insurance
  - Variances by insurance type
Federal Sentencing Guidelines
Seven Criteria for Compliance Programs

6

Enforce standards through disciplinary directives

- Respond appropriately to offenses to prevent recurrences
- Written policy on degrees of discipline that may apply
- Remove the offender
- Appropriate and consistent
Federal Sentencing Guidelines
Seven Criteria for Compliance Programs

7 Prompt investigation of alleged violations

- Initiate corrective action
- Voluntary disclose and return any overpayments
Implementing the Program
Employment Policies & Procedures

- Employee manual (disciplinary policy)
- Employee application forms
- Employment agreements
- Employee evaluation forms
- Employee training
Implementing the Program

Outside Services & Vendors

- Contractual arrangements for services
- Arrangements with sales, drug reps.
- Arrangements with external advisors
  - Legal
  - Accounting
  - Consulting
How Do You Evaluate the Effectiveness of Your Compliance Program?

Implement

Monitor

Revise
Compliance Training

- The OIG Guidance emphasizes the need for educational programs that are tailored to the physician practice’s needs, specialty and size.
  - General compliance training
  - Specific focus training
Compliance Training

- Determine who needs training (coding and billing and general compliance)
- Determine the type of training that best suits the practice’s needs
  - seminars, in-service training, self study
- Determine when and how often education is needed and how much each person should receive
Compliance Training

- General compliance training
  - Initial and recurrent with respect to the compliance program and applicable statutes and regulations
  - Operation of the compliance program
  - Consequences of violating the standards and procedures set forth in the program
  - The role of each employee in the operation of the compliance program
Compliance Training

- Coding and billing training
  - Initial and recurrent with respect to issues such as:
    - Coding requirements
    - Claim development and submission processes
    - Signing a form for a physician without his/her authorization
    - The legal sanctions for submitting deliberately false or reckless billings
Compliance Training

♦ Format of the training
  - Training may be conducted either in-house or by an outside source
  - Flexible to the practice needs
    ♦ Newsletters, magazines, self study books
    ♦ Videos
    ♦ Web based courses
    ♦ Seminars
Compliance Training

Print Based Training

- Textbooks, manuals, magazine articles, newsletters, reports, self-study programs

♦ Advantages
  - Since the employee retains a copy it gives a sense of “value” and serves as a continued resource for subsequent checking and validating of information
Compliance Training

♦ Disadvantages

- Employee must be self motivated to plow through the material
- Lacks interaction with trainer or others to discuss the material
- Need to consider the reliability and accuracy of the information – ask “Is this an authoritative source?”
Compliance Training

Videos

♦ Advantages

- Good format for group presentation and can be used later for new hires
- Allow for a “guest lecture”
- Great deal of flexibility in scheduling
- Reasonable cost if purchased through an association such as HCCA
Compliance Training Videos

Disadvantages

Passive, non-interactive medium
No knowledgeable individual to field questions
Successful only if video is well done and presenter is dynamic and entertaining
Information may become dated quickly
Can be costly to produce an internal product
Compliance Training

Videoconferencing Room-based
(Interactive Television)

- Advantages

  High tech and good quality productions
  Can connect multiple sites
  Allows for interactivity for discussion purposes and questions and answers
Compliance Training

Videoconferencing Room-based (Interactive Television)

♦ Disadvantages
  - Expensive equipment and well-designed facility required to do it right
  - Technical problems
  - Scheduling difficulties to get employees to sites
Compliance Training

Desktop Videoconferencing

♦ Advantages
  - Only requires personal computer with link
  - May be more flexible in scheduling

♦ Disadvantages
  - Expense
  - Technical difficulties
  - Employees must be comfortable with set up and operations
Compliance Training

Audiocassette Programs

♦ Advantages
  - Portability and readily available equipment
  - Cost effective option
  - Flexibility in use
  - Multi employees can share the same product
Compliance Training

Audiocassette Program

- Disadvantages

  Employee morale to listen
  No opportunity to interact
  or ask questions
  Information may be
dated quickly
Compliance Training

Audio-conferencing

♦ Advantages

- Ease of use and equipment needs are simple
- Allows for interaction to ask questions
- Handouts are generally provided in advance to facilitate the program
- Generally timely subjects and material
- Cost effective option for small group
Compliance Training

Audio-conferencing

♦ Disadvantages
  - Can be difficult to follow facilitator if they are not organized or dynamic
  - Employees can physically or mentally leave the session or lose focus
  - Employees may be nervous or afraid to ask questions to a telephone
Compliance Training

CD-Roms, Floppy Disks

♦ **Advantages**
  - Can serve as reference data
  - Ease in use
  - Inexpensive

♦ **Disadvantages**
  - Outdated unless subscription service
  - Non-interactive
Compliance Training

World Wide Web Training

♦ Advantages
  - Readily available and generally user-friendly
  - Updated material
  - Integration with other Internet resources
  - Reasonable cost
  - Flexibility
Compliance Training

World Wide Web Training

♦ Disadvantages
  - Employees who are not Internet savvy
  - Non-authoritative sources viewed as authoritative
  - Limited ability to interact
Compliance Training

In-House Seminars

Lecture Format

♦ Advantages
  - Flexibility in scheduling
  - Customized to group’s needs
  - Personal attention
  - Everyone hears the same thing
  - Ease of interacting and asking questions
Compliance Training

In-House Seminars
Lecture Format

♦ Disadvantages
  - Qualifications of the speaker
  - May be costly
**Compliance Training**

**External Seminar Lecture Format**

- **Advantages**
  - Inexpensive program if offered by an association

- **Disadvantages**
  - Expensive if requires attendance at a conference
  - Canned program
  - Speaker’s qualification and presentation style
Compliance Training
Case Study Seminar Format

♦ Advantages
  - Really zeroes in on issues if customized for a particular group (sample records)
  - Learn by doing

♦ Disadvantages
  - Cost to customize for a particular group
  - Discussion material may not fit your circumstances in large external group setting
Healthcare Management Solutions, Inc.

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