

COMPLIANCE TODAY



Volume Five/Number One
January 2003

A publication for
health care compliance
professionals

meet
Steve Vincze

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Letter from the CEO

ROY SNELL

Compliance **Quality of care under fire—Can Rx Compliance Methodologies help**

JCAHO has been criticized lately and the peer review process has come under scrutiny in a couple of high profile cases related to medical necessity and quality of care. Quality Assurance Departments, peer review programs, and JCAHO all are all trying to address problems similar to those that have been resolved by compliance programs for the last six years.

Although the problems related to the care of patients are more important than billing or Stark laws, how we deal with those problems are essentially the same. Physicians have had the primary responsibility for reviewing physician compliance with quality of care issues. They seem to be comfortable monitoring what has been done from a clinical perspective but they appear to be having some trouble with the other pieces of compliance such as discipline and enforcement.

The way the system works now, physician monitoring physicians, is not independent review process. Punishment for

quality of care problems are determined by physicians. We are putting physicians in a difficult position. This is the same problem some feel we have when we ask the finance department to be responsible for overseeing audits of coding or billing. Physicians are asked to review their peers, coworkers—and worse yet—they are asked to review, judge, and discipline the same people who will later be asked to judge them. Could they be more conflicted? Compliance programs' basic tenant is that the reviewer should have no ties to the people they are reviewing. This is particularly important when it comes to enforcement and discipline.

Can compliance help quality of care and peer review? The answer is a resounding no from a clinical perspective. However, from an administrative perspective, I think some are considering implementing compliance methodologies. Some compliance professionals are assuming responsibility for JCAHO and QA departments. Why? Because it's just another risk area that needs some structure. From an administrative perspective it is no different from billing and contracting. Compliance doesn't pretend to be able to perform the functions of the areas it monitors it just helps them implement the basics of compliance such as audit, monitoring, education, enforcement, discipline, etc. ■

