THE COMPLIANCE-PRACTICE PARTNERSHIP: STRATEGIES FOR SUCCESS

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TODAY’S AGENDA

• Compliance as a Practice Resource
• The role of the Physician Practice Compliance Committee
• Auditing, Monitoring and Risk

COMPLIANCE AS A PRACTICE RESOURCE

We hired a new doc — YAHOO!

• However if this is the first you’ve heard about it....
COMPLIANCE AS A PRACTICE RESOURCE

• The Realities:
  • Practice pace is different than compliance pace
  • Healthcare systems are complex and spread out
  • Negotiations with physicians don’t always consider compliance
  • Private Practice Physicians don’t appreciate compliance

COMPLIANCE AS A PRACTICE RESOURCE

• So what to do?
  • Communicate
  • Educate
  • Negotiate
  • Build a partnership

COMPLIANCE AS A PRACTICE RESOURCE

• Communicate with:
  • Physicians
    • Prior to acquisition and thereafter
    • Practice Leadership
      • Monthly scheduled meetings and informal hallway consults
      • The value of lunch
    • Practice Staff
      • Both physician office and administrative teams
  • Senior Leadership
    • Key stakeholders (CEO, COO, Board)
COMPLIANCE AS A PRACTICE RESOURCE

• Communicate how:
  • Don’t scare anybody
    • We are a resource, not a speedbump
  • Listen before answering
  • Negotiate instead of saying no
  • Your first interaction needs to be positive
    • Be proactive

COMPLIANCE AS A PRACTICE RESOURCE

• Communication Strategies
  • Prepare a “real” orientation program
    • Focus on the physician practice
  • Have a communication packet
    • Code of Conduct
    • Relevant signage
    • FAQs
    • Advisory Opinions
    • In-Services

COMPLIANCE AS A PRACTICE RESOURCE

• Communication Strategies
  • Get on Committees
    • Office Managers, Physicians, Acquisitions
    • Make sure compliance is an agenda item
  • Assist with Policies
    • Standardize but be realistic
    • Recognize the operational differences
      • PPOs, HMOs, contract services, etc.
      • Challenge of the waiting room
      • Coding and billing
COMPLIANCE AS A PRACTICE RESOURCE

- Communicate what:
  - Physicians
    - HIPAA “traps”
    - Treating self or family members
    - Curbside consults
    - Asking Grandpa for his co-pay
  - Office Staff
    - How to report issues
      - Call “Joe” not the Compliance Officer
  - Building personal relationships

COMPLIANCE AS A PRACTICE RESOURCE

- Some Specifics
  - Develop a compliance liaison program
  - Education fairs
  - "Speed" education
  - Establish a Practice specific compliance work plan
  - In partnership with Practice leadership
  - "Sell" the Compliance Brand
    - On-Boarding
      - Policies and procedures that work
      - Academia and Mentoring
    - Compliance week is the real deal

THE ROLE OF THE PHYSICIAN PRACTICE COMPLIANCE COMMITTEE
PHYSICIAN PRACTICE COMPLIANCE COMMITTEE

- Start with a charter
  - Committee function
    - Develop and oversee annual work plan
    - Review and approve policies
    - Review audit findings
    - Develop educational opportunities
    - Develop an annual risk assessment function
    - Determine effectiveness

PHYSICIAN PRACTICE COMPLIANCE COMMITTEE

- Competency Based Membership
  - Compliance staff
  - Non-Compliance leadership
  - Medical Staff
  - Practice Leadership
  - Include other managers
  - Revenue Cycle
  - Other Departments
    - Risk Management, Legal, HR, IT
  - Should senior leadership be there?

PHYSICIAN PRACTICE COMPLIANCE COMMITTEE

- Key Deliverables
  - Annually
    - Develop and complete the work plan
    - Review all policies
    - Perform risk assessment
    - Survey members for committee effectiveness
PHYSICIAN PRACTICE COMPLIANCE COMMITTEE

• Some Specifics
  • Have co-chairs (Compliance and Operations)
  • Operational co-chair can serve on the Organizational Committee
  • Invite Board Compliance Committee members and key Senior Leaders
  • Generate minutes that get sent to the Board
  • Give assignments to Committee members

AUDITING, MONITORING AND RISK

• What to audit?
  • Look at controls in the practice
  • Business operations
  • Policies and procedures
  • Staff education and awareness
  • Coding and billing
AUDITING, MONITORING AND RISK

Willie Sutton

Follow the money

Open Payments Database

Relationships with Vendors
  - Make sure you have the data AND there are policies regarding relationships.
  - Insure there are controls in place

Physician Contracts
  - Make sure there is one
  - Are terms being followed?
    - Audit expense allocations
    - Copays need to be done
  - If productivity based incentives, review the accuracy of the data
  - Make sure FMV is current and includes total compensation
  - Look for other arrangements
    - Leases, Medical Directorships, On Call, etc.

HIPAA Issues
  - Access to records
  - Can access be audited?
  - Designated record sets
  - IT Security
    - Password protection
  - Physical Layout
    - Waiting rooms
    - Record storage/receipt areas
AUDITING, MONITORING AND RISK

- You can’t monitor everything
  - Coding and Billing
    - Risk based to identify outliers
    - Myth of the 10 records per doc per year
  - Look for trends
    - Use of modifiers
    - Unusual coding patterns
    - Hours billed

AUDITING, MONITORING AND RISK

- Monitoring leads to great educational opportunities
- Monitoring comes out of auditing
  - Self monitoring
- Much of what we monitor is external
  - Don’t focus solely on dashboards
- Not everything can be monitored

AUDITING, MONITORING AND RISK

- Monitoring
  - IT Solutions
  - Coding and Billing
  - “Snooping” Software
  - Contract Management
  - BAA Vendor Assessments
  - Sanction Checks
  - Share information with practices
AUDITING, MONITORING AND RISK

The Risk Assessment
- Interview key stakeholders
- “What keeps you up at night?”
- Know the environment
- OIG/Workplan and other publications
- Organization strategic plan
- Professional journals, newsletters, e-mail, etc.
- Engage your Compliance Committee and Compliance Liaisons
- Look at prior year trends

Compiling the Data
- Stratify and Prioritize
  - Financial
  - Quality
  - Reputation
  - “Bang for the buck”

Consensus and team building
- Basis for the annual Workplan
- Present often and enthusiastically
  - Board, Senior Leadership, Management, Staff
- Risk Assessments are organic
  - Keep your ear to the ground
IN CLOSING……

• Friction in the system is not a bad thing
• Trust is earned sometimes in adversity
• Be a resource
  • Understand the pressures of the physician practice
• Be consistent

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