

Physician Engagement in the Compliance Process

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Roadmap to Successful Physician Engagement

Why?

What?

How?

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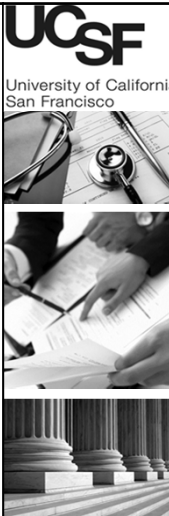
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***Why* is it essential to engage physicians in the healthcare compliance process?**

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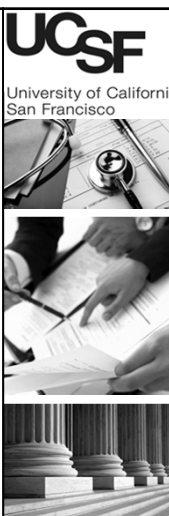
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The Critical Question

Can a program be successful without physician “buy-in?”

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Assuming the answer is NO, what role(s) can (should) physicians play?

- Observer
- “Student”
- Advisor
- Collaborator

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The key element is *Engagement*

- Through engagement, physicians can impact
 - How compliance is ensured *and*
 - The success of the health sciences compliance program for **providers and health systems**
- Without this collaboration, critical factors that influence the success of the program are at risk.

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Key Determinants of Success

- Physicians generally want to do the right thing
- The rules and interpretation are not always clear
- Compliance jargon, acronyms, and opinions are confusing and, in some cases subjective
- Physicians must identify compliance staff as *ADVOCATES*

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What can be done by the
**Compliance Program to
engage physicians?**

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Key Determinants of Success

- Alignment of physician goals + compliance goals + organizational goals
- At the same time...
 - When requirements seem to conflict with clinical expectations, the program cannot succeed
 - Lack of consistent interpretation and idiosyncrasies of CMS priorities cause physicians to “tune out”
- Although compliance requires “risk assessment”, it should not be equated with risk management

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Physician Engagement - The Key to Success of Compliance Program

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Key Elements of Physician Engagement

- Coordination between providers and health system needs
- Participation in Work Plan development and implementation
- Education about Compliance Work Plan
 - What are the implications for each provider and specialty?
 - How will it impact their clinical practice?

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Key elements of physician engagement

- Participation in Compliance Office activities
 - Committee memberships
 - Specialty advisor groups
 - Department educational sessions
 - Web-based training
- Review of compliance findings with opportunities for input and modifications

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Concepts to understand and address in engaging physicians

- Seven elements and impact on clinical care, documentation, and billing
- Acknowledge complex, unusual, or seemingly arbitrary requirements, and help put the requirements into perspective
- Acknowledge changes related to transition from paper to electronic health records

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Concepts to understand and address in engaging physicians

- Reconcile differences of opinion regarding requirements, and why and how billing and documentation will be audited
 - Physicians get compliance input from multiple sources
 - Clarify the source of “compliance” information
 - Clarify when and why institutional requirements may differ from other organizations
 - Articulate organizational risk tolerance based on previous audit findings, fines, requirements

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Identify *Who* to engage

- Individual providers, including ANPs
- Divisions and departments
- Institutional leaders: CMO, COO, CFO, medical staff leadership, division chairs

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How to engage physicians

- Identify “physician champions”
- Engaged vs. frustrated or overwhelmed
- Balance managing compliance risks with “leaving money on the table.” Improved documentation and billing should help with both.

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How to engage physicians

- Provide a supportive perspective to the physicians
 - Clarify role of compliance as a means of improving clinical care
 - Define how compliance can reduce administrative and documentation burdens
- Develop an understanding of the challenges of the clinical environment and its implications for physicians
 - Shadow physicians to understand workflow
 - Assess whether the documentation, coding and billing accurately reflects the level of care provided

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How can physicians and compliance staff most effectively collaborate?

- View through lens of 7 elements
- Assessment of risk
- Policy and procedure development
- Compliance committee membership
- Physician champions as liaisons
- Clinical perspective to support auditing and monitoring compliance

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Where in the compliance program can physicians and compliance collaborate?

- Communication
 - Utilize physician liaisons to communicate with providers, departments, managers
- Education
 - Develop educational programs in collaboration with physicians
 - Engage physician champions in educating colleagues
 - Collaborate on specialty-specific educational needs

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Where in the compliance program can physicians and compliance collaborate?

- Development of disciplinary guidelines and defining ways to provide access on a “need to know” basis
- Participation in investigations and corrective action
 - Physician colleague collaboration and facilitation, consistent with Medical Staff rules and regulations and other regulatory requirements

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Other opportunities for physician and compliance collaboration?

- Teaching rules- CMS requirements vs. ACGME responsibilities
- Supervision of ANPs- “incident to” billing, supervision, documentation requirements
- Documentation requirements for 0, 10, and 90 day global periods

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Other opportunities for physician and compliance collaboration?

- Anesthesia- “immediate availability,” medical direction versus supervision
- Surgery- concurrent cases, availability for “critical portions”
- Multiple providers using same codes for billing services on same day- differentiating roles of each provider

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Other opportunities for physician and compliance collaboration?

- E/M billing and documentation challenges
 - Patient acuity vs intensity of care/level of coding, i.e. consultation/low level of care on a very sick patient
 - Use of modifiers

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Physician Engagement in the Compliance Process

A critical component of a comprehensive, responsive and responsible clinical compliance program

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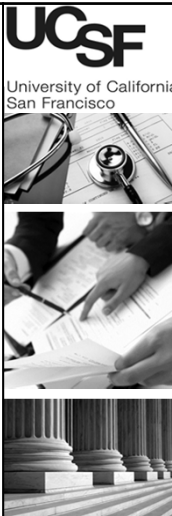
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Questions?



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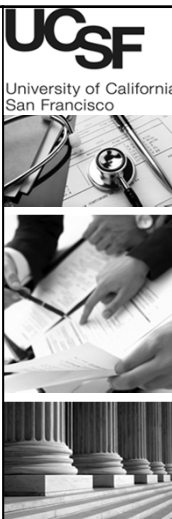
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