


Physician Engagement in the Compliance Process

Neal H. Cohen, MD, MPH, MS
Distinguished Professor of Anesthesia and Perioperative Care and Medicine
Vice Dean, UCSF School of Medicine Medical Director, International Service

Sarah M. Couture, RN, CHC
Aegis Compliance and Ethics




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Roadmap to Successful Physician Engagement

Why?
What?
How?




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




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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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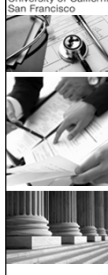
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**Key Elements of Physician
Engagement**

- 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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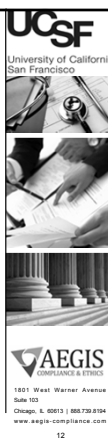
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**Key elements of physician
engagement**

- 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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Questions?



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Contact Us

Neal H. Cohen, MD, MPH, MS
UCSF School of Medicine
cohenn@ucsf.edu

Sarah Couture, RN, CHC
Aegis Compliance and Ethics
scouture@aegis-compliance.com



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