

Can't We All Just Get Along? Physician Satisfaction & Compliance Are Not Mutually Exclusive in Physician Arrangements

HCCA Annual Compliance Institute
April 9, 2019



[1]

Today's agenda

1. Physician arrangements are highly regulated
2. When time studies are needed
3. Experience of Capital Health System
4. Experience of Jefferson Health System
5. Final tips



[2]

Stark Law safe harbors for physician arrangement compliance

- Term of at least one year
- In writing by both parties
- Specify aggregate payment and set in advance
- Payment is reasonable and fair market value
- Compensation not related to volume or value of business
- Exact services to be performed must be outlined
- Services are commercially reasonable

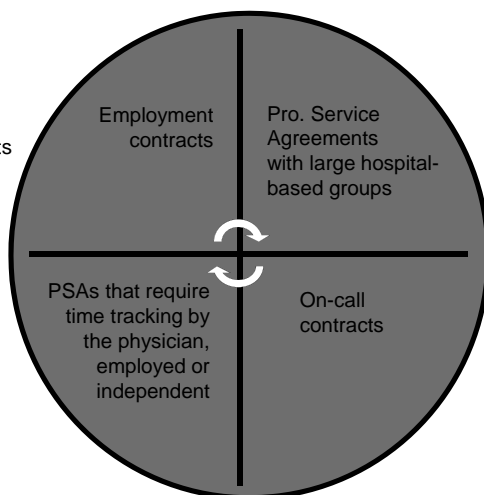


[3]

Multiple ways we pay physicians

- Sign-on bonus
- RVU payments
- Incentive payments

- Medical Directorships
- Co-Management
- Teaching



- Monthly stipends
- Per-click payments
- Incentive payments

- Employed
- Independent
- Calendar-based

[4]

So why all the hype? When things go wrong, it's expensive!

Department of Justice
Office of Public Affairs

FOR IMMEDIATE RELEASE Thursday, May 18, 2017

Missouri Hospitals Agree to Pay United States \$34 Million to Settle Alleged False Claims Act Violations Arising from Improper Payments to Oncologists

Department of Justice
Office of Public Affairs

FOR IMMEDIATE RELEASE Wednesday, March 7, 2018

Pennsylvania Hospital and Cardiology Group Agree to Pay \$20.75 Million to Settle Allegations of Kickbacks and Improper Financial Relationships

Department of Justice
Office of Public Affairs

FOR IMMEDIATE RELEASE Thursday, May 10, 2018

Ohio Hospital Operator Agrees to Pay United States \$14.25 Million to Settle Alleged False Claims Act Violations Arising From Improper Payments to Physicians

Department of Justice
U.S. Attorney's Office
Eastern District of Wisconsin

FOR IMMEDIATE RELEASE Tuesday, December 11, 2018

Aurora Health Care, Inc. Agrees to Pay \$12 Million to Settle Allegations Under the False Claims Act and the Stark Law

Department of Justice
Office of Public Affairs

FOR IMMEDIATE RELEASE Friday, December 1, 2017

Dallas-Based Physician-Owned Hospital to Pay \$7.5 Million to Settle Allegations of Paying Kickbacks to Physicians in Exchange for Surgical Referrals

Department of Justice
Office of Public Affairs

FOR IMMEDIATE RELEASE Tuesday, December 19, 2017

Two Physician Groups Pay Over \$33 Million to Resolve Claims Involving HMA Hospitals

(5)

When physicians hand-in documentation, they open themselves up to problems

Illegible

Exhibit B: PHYSICIAN TIME ALLOCATION REPORT

Name of Physician: [Redacted]

Reporting Period Month/Year: August 2018

Activities:	Hours
Medical Director Position	26.5
Quality Control/Quality Initiatives	8
Administrative Committees (list):	
Other:	
Crewing/Planning	5.5
Finance/HR/IT	2
Admin/Marketing	2
Accreditation	4
Clinical Supervision	4
Board Education	4
TOTAL HOURS	26.5

Not enough detail

Service Provided (please list specific activity performed)	Date	Hours
1. Medical Staff Self Activities	5/18/2018	4
2. Staff Education & Training	2/11, 12, 13, 17	5
3. Clinical Supervision		
4. Quality Improvement Activities (committees, case review, etc.)		
5. Administrative Activities	8/1, 5, 8, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 27, 28	13
6. Community Education		
7. Medical Management Activities		
8. Compliance Activities		
9. Other		

It is 2019, AUTOMATE!

DocTime Log - Dr. Sally Gupta

Client: Saint Elsewhere
Contract: Gupta, S Director of Hematology (Max)
Cycle: 09/01/2018 - 09/30/2018

Date	Location	Duty	Hours	Notes	Status
09/06/2018		Oversee training program	2.00	Dr. Sally Gupta (2018-09-06 21:48:45) Worked with Dr. Smith on the training program for FY18.	approved
09/07/2018		Committee Meeting	2.00	Dr. Sally Gupta (2018-10-12 13:47:48)	approved
09/14/2018		Policy and Guidelines	2.50	Dr. Sally Gupta (2018-10-12 13:48:45) Met with ops committee.	approved
09/21/2018		Oversee training program	2.00	Dr. Sally Gupta (2018-10-12 13:50:21) Met with new academic coordinator for Oncology from UT.	approved
Total: 8.50 submitted at: 2018-10-12 13:50:57					

(6)


WHEN YOU AUTOMATE PROCESSES,
PHYSICIAN SATISFACTION & COMPLIANCE IMPROVE


[7]

Can't we all just get along?

Kelly Walenda, JD, CHPC

Eugene McMahon, MD,
FCAP, MBA

 **Jefferson Health.**


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[8]

Thank you!

Kelly Walenda

SVP Legal Services & Enterprise
Chief Privacy Officer

- 856-566-5260
- kelly.walenda@jefferson.edu



Eugene McMahon

SVP Chief Medical Officer

- 609-815-7756
- emcmahon@capitalhealth.org



Gail Peace

Founder & President

- 615-432-2910
- gail@ludiinc.com

