



**Appropriate Use of Scribes.
How to Handle Scribes Who Are
Performing Other Services Such as
Patient Care**

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What is a Medical Scribe?

- ◆ Joint Commission Definition: A scribe is an unlicensed individual that is hired to enter information into an electronic medical record (EMR) or electronic health record (EHR) at a physician's direction.

What Do Medical Scribes Do?

- ◆ Physically or virtually follow the provider into the examination room
- ◆ Enter information into the EHR
- ◆ Navigate/locate information in the EHR
- ◆ Coding Assistance
- ◆ Most frequently used in emergency departments and Physician Practices

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Regulating the Use of Medical Scribes

- ◆ Personnel used as medical scribes are not regulated
- ◆ The Joint Commission does not encourage or prohibit the use of scribes
- ◆ CMS regulations do not address scribes; however CMS does have published guidelines

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How Medical Scribes Can Improve Efficiency In An Electronic Environment

- ◆ Reported benefits from the use of scribes include:
 - ▶ Increased efficiency/productivity
 - ▶ Increased client satisfaction
 - ▶ Decreased physician burnout and increased physician satisfaction
 - ▶ Better quality patient-provider interactions
 - ▶ Improved quality of care

- ▶ (1) Annual Impact of Scribes on Physician Productivity and Revenue in a Cardiology Clinic, NCBI (2015)
- ▶ (2) The Medical Use of Medical Scribes in Health Care Settings - A Systematic Review and Future Directions, Shultz & Holmstrom (2015)
- ▶ (3) Factors Affecting Physician Professional Satisfaction and Their Implications for Patient Care, Health Systems, and Health Policy, AMA and RAND Corp. (2014)
- ▶ (4) An Assessment of Emergency Department Throughput and Provider Satisfaction after the Implementation of a Scribe Program, Allen, et al. (2014)
- ▶ (5) An ED Scribe Program is Able to Improve Throughput Time and Patient Satisfaction, Bastani, et al. (2014)
- ▶ (6) Impact of Scribes on Patient Interaction, Productivity, and Revenue in a Cardiology Clinic: A Prospective Study, Bank, et al. (2013)
- ▶ (7) Scribes in an Ambulatory Urology Practice: Patient and Physician Satisfaction, Koshy, et al. (2010)

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Limitations to What Medical Scribes Can Do for Physician Practices

- ◆ Scribes should **not**:
 - ▶ Perform clinical services
 - ▶ Make independent decisions/translations
 - ▶ Enter orders
 - ▶ Work simultaneously as a clinical assistant/NPP

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Evaluating Regulatory Risks of Different Medical Scribe Arrangements

- ◆ CMS does not regulate the use of scribes; however, it has clarified that scribes are **not** required to sign or date documentation.
- ◆ Scribes can help physicians to document clearly the detail of the level of services provided.
 - ▶ However, take care to avoid taking actions that can result in potential documentation, billing and coding, and medical errors, including:
 - Using a scribe to bill at a higher level than allowed for services
 - Using a scribe to bill for services not actually provided
 - Failing to thoroughly review the accuracy of a scribe's work

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Medical Scribes in the Virtual World

- ◆ Though scribes are most often physically present with the provider during the patient examination, some providers also use virtual scribes.
- ◆ However, virtual scribes place providers at an increased risk of cyber attacks.

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Compliance Best Practices for Evaluating and Monitoring Scribe Services

- ◆ Clarify the scribe's qualifications and responsibilities in the job description.
 - ▶ Require the scribe to sign an agreement recognizing their job duties and their limited role in the practice
- ◆ Conduct orientation and training specific to the scribe's role in the organization. Topics may include:
 - ▶ Medical Terminology and Spelling
 - ▶ Anatomy
 - ▶ Coding (1995 & 1997 CMS E&M Guidelines)
 - ▶ General Compliance (to include Stark Law and AKS)
 - ▶ HIPAA
 - ▶ Risk Mitigation
 - ▶ Computer Skills
 - ▶ MACRA
 - ▶ The Joint Commission's Accountability Measures

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Compliance Best Practices for Evaluating and Monitoring Medical Scribe Services

- ◆ Review applicable laws and guidelines to ensure that scribes are being used properly
- ◆ Verify compliance with any applicable third party payer guidelines
- ◆ Notify patients of the use of scribes
- ◆ Require the physician or practitioner to carefully review and authenticate scribed entries by entering a signature, date, and time
 - ▶ Do **not** allow scribes to enter the date and time
 - ▶ Do **not** allow a physician's signature stamp to be used to authenticate
 - ▶ Do **not** delegate the authenticate task

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Compliance Best Practices for Evaluating and Monitoring Medical Scribe Services

- ◆ Verify scribes meet all appropriate standards.
- ◆ Conduct competency assessments and performance evaluations.
- ◆ Audit and monitor the use of scribes and scribed documentation.
- ◆ Monitor the effectiveness of the scribe program.

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How to Handle Scribes Who Are Performing Other Services Such as Patient Care?

- ◆ Appropriate Policies and Procedures
- ◆ Educate, Educate, Educate!
- ◆ Evaluate and Audit (Compliance Work-Plan)
- ◆ Re-Educate Based on Findings
- ◆ Disciplinary Action

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Developing Appropriate Policies and Procedures

- ◆ Must be an unlicensed person, not involved in patient care or treatment, specifically hired to enter information into the EHR.
 - ▶ Same applies to Surrogate Dictator.
- ◆ Have competency training.
- ◆ Scribes may locate and retrieve prior test results but are not allowed to enter orders (tests or otherwise).
- ◆ Scribes may not address system alerts.

3607.6 Medical Scribe or Surrogate Dictator Policy (CHSPSC)

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Developing Appropriate Policies and Procedures

- ◆ Scribes must have their own unique user ID and password.
- ◆ Scribes are required by policy to identify themselves, sign/date and attest to documentation along with the Provider.
- ◆ Authentication must be completed by both the Scribe and Provider before either leave the patient care area.
- ◆ Scribes may not enter billing codes or perform any billing related functions.

3607.6 Medical Scribe or Surrogate Dictator Policy (CHSPSC)

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Investigation & Corrective Actions

- ◆ NPP acting as Scribe
- ◆ Scribe documentation not supporting CMS, Joint Commission or policy guidelines
- ◆ Orders entered by the Scribe

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Questions?

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