

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.

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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 & Helmsman (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, Bostank, 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. (2016)

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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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