Building a Physician Practice Audit Program (That Your Physicians Will Appreciate!)

HCCA Compliance Institute 2020
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Speakers

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BILLING AND CODING AUDITING; MANAGING AUDIT TEAMS; PROVIDER EDUCATION

- Certified Professional Coder and Certified Medical Auditor

- Certifications: CPC, CPMA, CEMA

- Billing Compliance expertise in academic medical center, physician practice.

- Over 20 years in the Healthcare industry in billing, coding, investigations and auditing.

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HEALTHCARE COMPLIANCE; RESEARCH BILLING COMPLIANCE; CLINICAL AND MEDICAL NECESSITY AUDITING

- Registered Nurse

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- Compliance program expertise in academic medical center, hospital, physician practice, pharmacy, long-term care, and research settings, including program development and assessment, risk assessment, interim staffing, and training.

- Over 18 years experience in hospital, AMC, physician practice, pediatric, skilled nursing facility, Federally Qualified Health Center, and free clinic settings.

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How Can Your Physician Audit Program Make the Most Impact?

- Focus on <u>relationship</u> with providers

- Base the audit plan on <u>risk</u>

- Collaborate with <u>administration</u>

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Risk Assessment - The Foundation of Your Audit Plan

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Why is Auditing Based on Risk So Important?

"The starting point for a prosecutor's evaluation of whether a company has a well-designed compliance program is to understand the company's business from a commercial perspective, how the company has identified, assessed, and defined its risk profile, and the degree to which the program devotes appropriate scrutiny and resources to the spectrum of risks."

--U.S. Department of Justice Criminal Division Evaluation of Corporate Compliance Programs

https://www.justice.gov/criminal-fraud/page/file/937501/download

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Why is Auditing Based on Risk So Important?

- More effective at preventing Fraud, Waste, and Abuse

- May be helpful if wrongdoing does occur

   "Prosecutors may credit the quality and effectiveness of a risk-based compliance program that devotes appropriate attention and resources to high-risk transactions, even if it fails to prevent an infraction in a low-risk area."
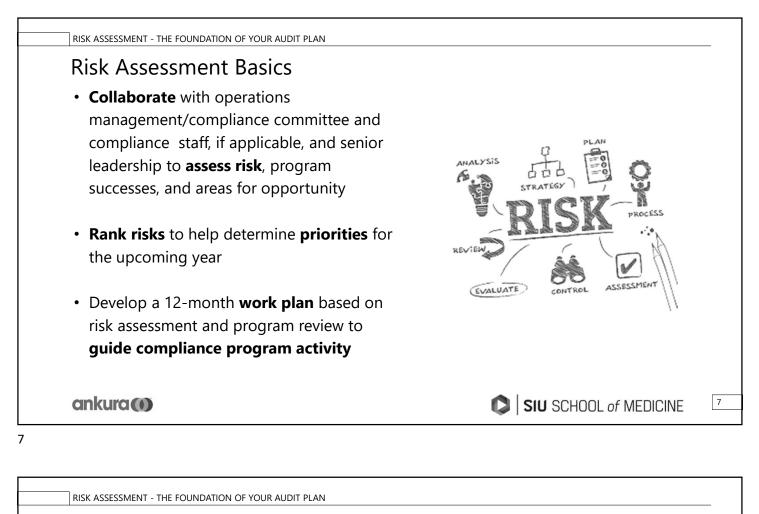   --U.S. Department of Justice Criminal Division Evaluation of Corporate Compliance Programs

- Payors are auditing based on risk! DATA-MINING

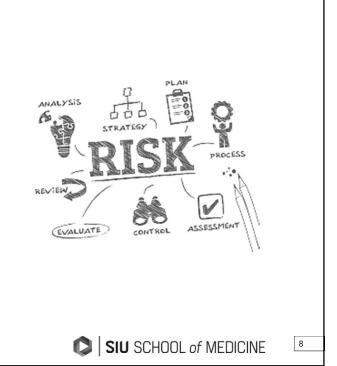- Ensures appropriate utilization of audit resources

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Risk Assessment Basics

- **Collaborate** with operations management/compliance committee and compliance staff, if applicable, and senior leadership to **assess risk**, program successes, and areas for opportunity

- **Rank risks** to help determine **priorities** for the upcoming year

- Develop a 12-month **work plan** based on risk assessment and program review to **guide compliance program activity**
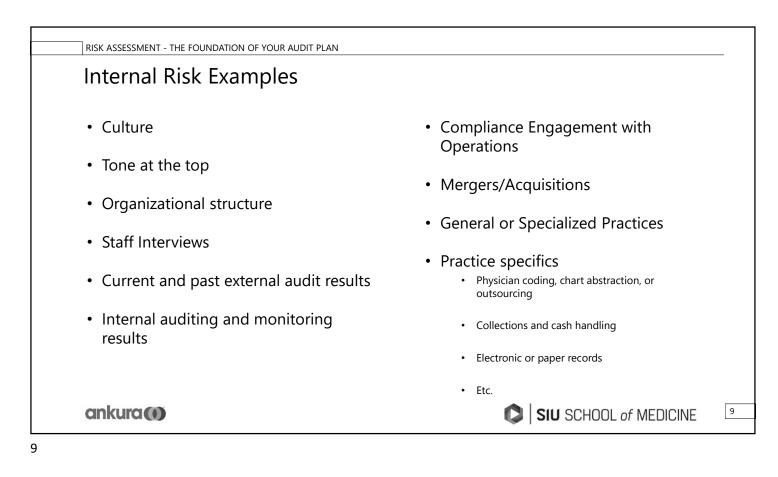
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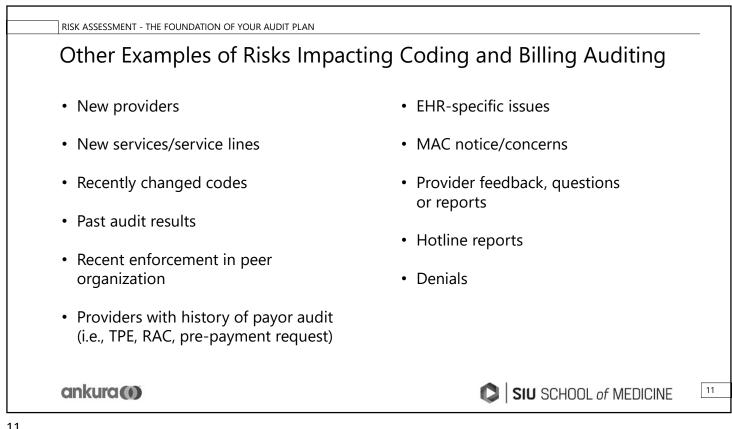
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External Risk Examples

- OIG Compliance Program Guidance

- CMS Conditions of Participation

- OIG Work Plan

- Industry and regulatory changes

- Enforcement actions

- Relevant regulations

- Advisory Opinions

- Special Advisory Bulletins

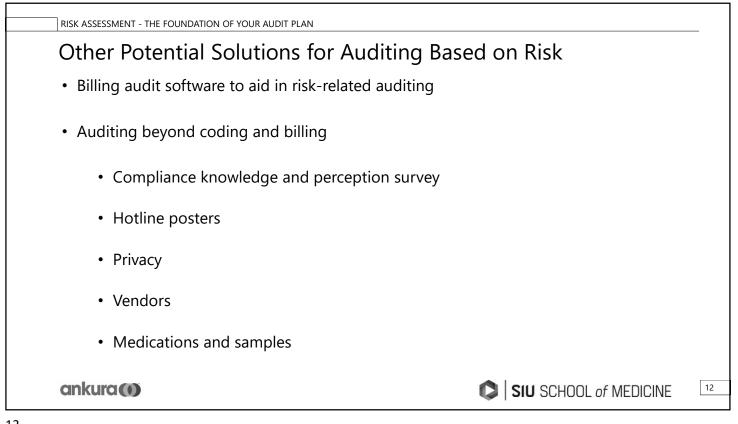ankura | SIU SCHOOL *of* MEDICINE

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Internal Risk Examples

- Culture

- Tone at the top

- Organizational structure

- Staff Interviews

- Current and past external audit results

- Internal auditing and monitoring results

- Compliance Engagement with Operations

- Mergers/Acquisitions

- General or Specialized Practices

- Practice specifics
  - Physician coding, chart abstraction, or outsourcing
  - Collections and cash handling
  - Electronic or paper records
  - Etc.

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SIU Medicine Not-For-Cause/Routine Provider Audits

- Teaching physician guidelines/SOM policy

- Over/under coding

- Duplicate payment/billing

- Unbundling

- Billing provider

- Orders

- Modifier 24, 25, 59

- Incident to/Nurse visits

- Split shared

- NCDs/LCDs

- ICD-10

- Time-based coding

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Other Examples of Risks Impacting Coding and Billing Auditing

- New providers

- New services/service lines

- Recently changed codes

- Past audit results

- Recent enforcement in peer organization

- Providers with history of payor audit (i.e., TPE, RAC, pre-payment request)

- EHR-specific issues

- MAC notice/concerns

- Provider feedback, questions or reports

- Hotline reports

- Denials

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Other Potential Solutions for Auditing Based on Risk

- Billing audit software to aid in risk-related auditing

- Auditing beyond coding and billing

    - Compliance knowledge and perception survey

    - Hotline posters

    - Privacy

    - Vendors

    - Medications and samples

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Structuring a Best Practice Physician Practice Audit Plan

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Physician Audit Plan Overview

- New Provider Orientation

- Audit Program steps

  - Entrance Conference

  - Audit

  - Peer/supervisor review

  - Draft (formal report)

  - Acknowledgment form

  - Education (individual provider and departmental)

  - Post review follow-up

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New Provider Orientation

- All billing providers must attend New Provider Orientation before they can bill for their services

- Topics discussed:
  - How to level an E/M
  - Teaching Physician Guidelines
  - Incident-to and Split/Shared Guidelines

- Providers are then audited within 60 days of New Provider Orientation *before* they can begin to submit charges/bill

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Audit Program Steps: Entrance Conference

- Reviews objectives and scope, and provides metrics from billing risk software

- Garners buy-in from division chief and department administration for upcoming division review

- Informs division chief and department administration of items that will be included in the audit (i.e., teaching physician guidelines, incident-to, procedures, etc.) and benchmarked billing data

- Opens lines of communication with the division

- Provides an opportunity for the division to state other concerns, if any, that they would like included in the review

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Audit Program Steps- The Audit

- Teaching physician guidelines/SOM policy

- Over/under coding

- Duplicate payment/billing

- Unbundling

- Billing provider

- Orders

- Modifier 24, 25, 59

- Incident to/Nurse visits

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- Time-based coding

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Audit Program Steps- Peer/Supervisor Review

- Peer and supervisor review of auditor's findings

- Ensures that more than one person fully reviews the documentation for accuracy

- Can be a 1- or 2-step peer review process, depending on proficiency of auditor

- Final supervisory review before the draft report is sent to the provider
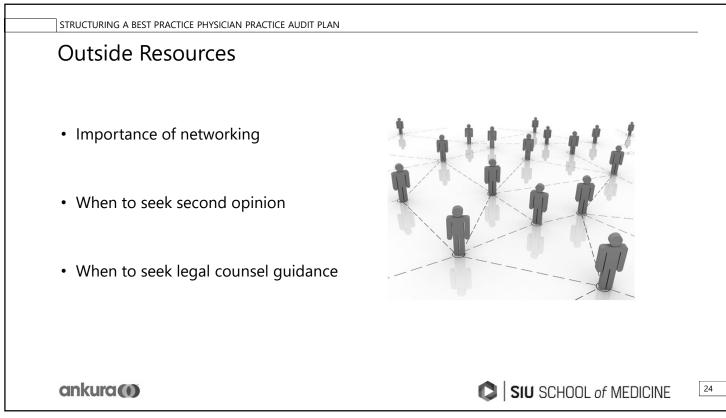
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Audit Program Steps- Draft (Formal Report)

- Summary of the charges reviewed and any errors found

- If there are findings, the draft provides detailed background on the findings noted
    - i.e., detailed explanations as to what made the charges over-coded (what was missing)

- Provides recommendations for improvement to the provider
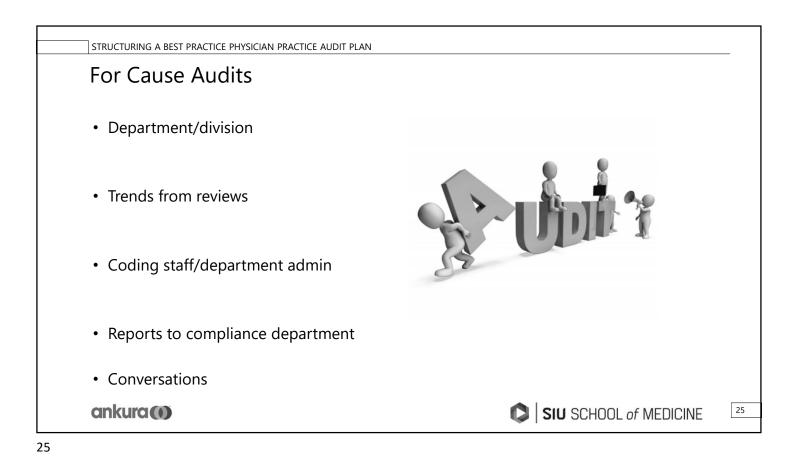
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Audit Program Steps- Acknowledgement Form

- Acknowledgement that the audit was received by the provider

- Acknowledgement that charges will be adjusted upon completion of the review

- Gives the provider the opportunity to dispute any findings before the audit report is finalized, or to request a meeting to discuss

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Audit Program Steps- Education- Provider and Department

- Scheduled meeting with provider and compliance auditor to discuss specific errors in the audit

- Can be required by compliance based on audit results, or can be requested by the provider

- Compliance provides detailed education regarding errors seen, including providing Billing Compliance Alert educational handouts
  - Billing Compliance team has developed 25+ different educational handouts based on frequently seen errors and/or known risk areas

  - Provides for consistent and documented guidance to providers

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Audit Program Steps- Education- Billing Compliance Alerts- Sample Topics
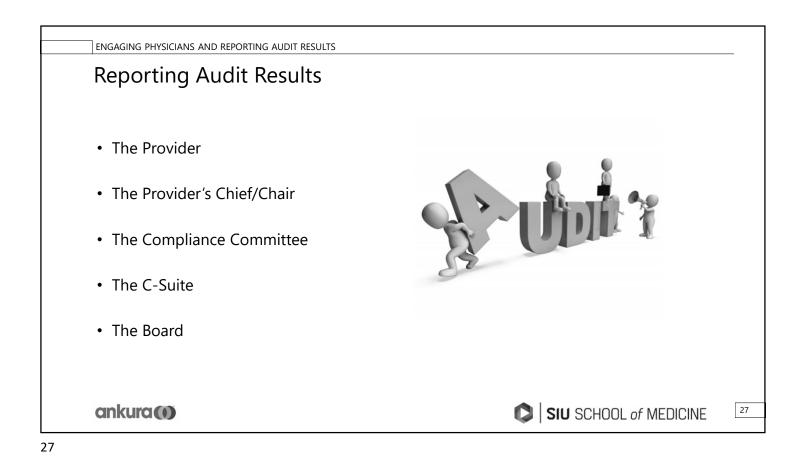
- Smoking Cessation
- Hospital Day Discharge Management
- Medical Nutrition Therapy
- Incident To
- Split-Shared Visits
- Annual Wellness Visit
- Initial Preventative Physical Examination Visits
- Critical Care
- 99211 – Nurse Visits
- Diabetic Self-Management Training
- Transitional Care Management

- GC vs. GE Modifier
- Scribe Guidelines
- Advance Care Planning
- Consult vs. Referral
- Chronic Care Management
- Electrocardiogram (ECG/EKG) Documentation
- Intensive Behavioral Therapy for Obesity
- Modifier 25 Fact Sheet
- Modifier 52Fact Sheet
- Modifier QW Fact Sheet

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Audit Program Steps- Post Review Follow Up

- During educational session, provider is informed that a follow-up review will be conducted

- The follow-up review focuses only on the errors noted in the previous review

- Conducted within 30 days of date of education

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Outside Resources

- Importance of networking

- When to seek second opinion

- When to seek legal counsel guidance

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For Cause Audits

- Department/division

- Trends from reviews

- Coding staff/department admin

- Reports to compliance department

- Conversations

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Engaging Physicians and Reporting Audit Results

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Reporting Audit Results

- The Provider

- The Provider's Chief/Chair

- The Compliance Committee

- The C-Suite

- The Board

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Why is Engagement Essential?

- Providers
  - Risks are "on their radar" so watching for issues
  - Education and auditing are desired to help prevent problems
  - Can help decrease anxiety in cases of external audit
  - More likely to reach out to compliance department if issues or concerns or when they have questions

- Department administrators
  - More likely to come to compliance department for advice/guidance BEFORE they start a new initiative

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Why is Engagement Essential?

- C-Suite
  - Understand risk areas and are already aware or involved if needed to step in for accountability or discipline

- Board
  - Aware of risk areas, auditing plan, and issues identified in audits

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Engaging Providers and Department Admin

- Entrance conferences/NEO

- Open Door policy

- Ancillary staff/resident training

- Annual division training/education

- Invitations to division/department meetings

- Road show (hot topics)

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Tips For Engagement

- <u>Right kind</u> of coding auditors

- <u>Prioritize</u> the relationship(s) during the audit

- Make your team <u>available</u>

- Use <u>onboarding</u> to start the Compliance Program's relationship with physicians

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Conclusion

- Base audit plan on risk

- Auditing essentials

- Physician and administration engagement is key

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Conclusion

- Next Steps: Getting Started developing your physician auditing program

    - Evaluate each team members role

    - Evaluate the current process

    - What is missing?

    - Importance of buy in

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Questions?   Thank You!

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