

ACOG Health Reform Webinars What the Law Means to Your Practice and Your Patients

Presented by

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Sessions



- Session 4: October 20 Wednesday Noon ET
- Compliance
- Session 5: November 10 Wednesday Noon ET
- Opportunities
- Session 6: December 8 Wednesday Noon ET
- Non-Physician Providers
- www.acog.org Health Reform Center



- Medicare and Medicaid together make up the single largest purchaser of health care in the world.
 - Over 20% of all US federal spending.

 FBI: public and private health care fraud accounts for 3 – 10% of total US health spending.



- Recovery Audit Contractors (RAC) Program
 - Began under GWBush Admin in Medicare.
 - Expanded to Medicaid.
 - Bounty hunters, go into practices, look for overpayments, and keep an average of 12.5 % of money recovered.
 - Identify and recover overpayments, including payments for non-clinically indicated care.



- ➤ Prohibition on Self-Referrals: Physicians are prohibited from referring to hospitals in which they have a financial interest.
- Intended to protect patients from conflict between a physician's power to refer and to profit from those referrals.
- > ACA spells out new rules for exceptions.
 - ➤ Disclosure in ads and websites; bona fide investments; patient safety; prevention of conflicts of interest.



- Background Checks
- Medicare, Medicaid, and CHIP
- Range of new authority and tools. Licensure, criminal background checks, fingerprinting.
- Implemented according to risk.
- Physicians, Medical Groups, Clinics = Limited (Low) Risk



- Limited Risk Requirements
- 1. Verification that you meet applicable Federal regulations or State requirements;
- 2. Verification that you meet applicable licensure requirements; and
- 3. Periodic database checks to ensure that you continue to meet these criteria.
- Newly enrolling physicians: beginning March 23, 2011.
- Currently enrolled March 23, 2012.



- ➤ Transfers of Value: Manufacturers must annually report transfers of value to MDs and teaching hospitals. Excludes:
 - Items <\$10, except if over a calendar year they amount to >\$100.
 - Dividends and profit distributions.
 - Product samples.
 - Device loans.
 - In-kind charity contributions.

Transfers of Value, continued



- Manufacturers must report physician ownership or investment, except publicly traded securities.
- Information made public. Physicians will have 45 days to review before information is posted.
- Important: Reporting requirement and penalties apply only to manufacturers, no physician requirements.

Future Compliance



- Compliance Programs as a condition of enrollment in Medicare, Medicaid or CHIP.
- HHS will establish "core elements" for each sector, with public input.
- Want comments on the elements of effective compliance.

Future Compliance



- Elements Include:
- Written policies, procedures and standards of conduct;
- Chief compliance officer responsible and direct report;
- Regular training programs for all employees;
- Hotline to receive complaints and whistleblower protections;
- System to respond to allegations and enforcement;
- Investigation and remediation of systemic problems.

Questions



- Type your questions
- Go to ACOG's Health Reform Center on ACOG's home page www.acog.org
- Session 5 Wednesday November 10, NOON ET
 - Opportunities
- Thank you!