



Happy Spring!

Happy Spring! In this season of new growth and fresh starts, the CHEX client base and course listings are growing, courses have an innovative format and have been updated, and soon CHEX will have a fresh look and a new technology partner, Knowledge Planet (KP). In response to the growing needs of our customers, Knowledge Planet will begin to provide the learning management system (LMS) platform to CHEX in early July. For our valued customers, this equates to enhanced reporting abilities, more flexibility in password assignment and an updated look for the CHEX homepage.

Over the next several weeks, be watching for supplementary CHEX e-letter updates, additions to the orientation manuals explaining the exciting upgrades, and timelines for implementation. We look forward to guiding you through these changes!

Plans are to have the new courses, **Hospice 101**, **Hand Hygiene**, and the three expanded **Home Care and Patient Safety** courses, deployed on the CHEX site in early May. If you haven't looked at the CNE courses lately, note that several new offerings have been added including the **Arrhythmia Recognition Series**, **Introduction to Finance**, **Human Resource Management**, and **Project Management and Medication Calculation**. Please give us your feedback on these new courses and any additional courses you hope to see in the future.

As always, we are available to answer your questions and listen to your comments, suggestions, and concerns. Call Laurel Stith, CHEX Coordinator or Debbie Scholl, Managing Director of CHEX at 913-362-0600 or e-mail to lstith@corridorgroup.com or dscholl@corridorgroup.com.

We look forward to new growth and fresh starts with you, our appreciated CHEX customers!

Debbie Scholl, RN, BC, MSM
Managing Director of CHEX
913-362-0600
dscholl@corridorgroup.com

Use of Consulting Physicians/Medical Directors: Frequently Asked Questions By Elizabeth E. Hogue, Esq.

There is increasing recognition among home care providers that relationships with consulting physicians/medical directors are extremely useful for agencies. Many agency managers already understand that if consulting physicians/medical directors also make referrals to the agency, the requirements of both the Stark laws and regulations and the anti-kickback statute, and so-called "safe harbors" must be met.

Among other requirements, the Stark laws and regulations and the anti-kickback statute require agencies to sign written agreements with physicians who provide consulting physician/medical director services and make referrals to the same agencies.

The basic requirements that must be met are as follows:

- Enter into written agreements with physicians that are signed by providers and physicians, which specify the services covered by the arrangement.
- The arrangement must cover all of the services to be furnished by referring physicians to providers.
- Aggregate services provided do not exceed those that are reasonable and necessary for the legitimate business purposes of providers.

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Welcome New Clients!!!

- *Altitude Hospice*
- *Dependable Health Services*
- *HealthBack*
- *Hospice and Palliative Care of Contra Costa*
- *VNA Home Health Care*
- *VNA of Monterey*

Scheduled CHEX Black-Out Dates

We will perform maintenance on the site one Sunday a month from 8AM to 6PM.

- May 6
- June 3
- July 1
- August 5
- September 9
- October 7
- November 4
- December 2

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- The term of each arrangement is for at least one (1) year.
- Compensation paid over the term of the agreement is set in advance, does not exceed fair market value, and is not determined in a manner that takes into account the volume or value of any referrals or other business generated between the parties.
- The services to be furnished under each arrangement do not involve the counseling or promotion of a business arrangement or other activity that violates any State or Federal law.

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Can I pay physicians a flat monthly amount?

Physicians frequently tell agencies that they want \$3,000.00 per month, for example. The Stark regulations, however, are quite clear that there are only two (2) ways to pay physicians:

1. Per hour or
2. Per unit of service

The use of a formula for payment based upon units of service appears to allow providers to pay a flat fee for actual participation in each of a variety of meetings such as Professional Advisory Board (PAB) meetings, team meetings, case conferences, interdisciplinary team meetings, and ethics committee meetings.

But the best practice is to pay per hour at rates determined consistent with formulas provided in the Stark regulations for all services. This practice will alleviate any questions about whether payments are at fair market value.

Providers must also be careful that they do not “back into” amounts paid to physicians. If, for example, physicians demand \$3,000.00 per month, agencies should not respond by saying that they will make sure physicians get enough hours at an established hourly rate to at least equal this amount. Instead, the amounts paid to physicians are likely to vary considerably each month if agencies are in compliance with the above requirements, including payment for services only if they are really needed by agencies.

What documentation do I need from physicians each month in order to pay them for their services?

Physicians must submit invoices that include the date that they provided services, a description of the services provided, and the amount of time spent on each activity. Agencies must review this documentation prior to making payments to physicians in order to help ensure compliance with applicable requirements. If there are entries that just do not make sense, they must be revised before payments are made.

If, for example, physicians are reviewing patients’ medical records, it is not unusual to see invoices that indicate that the same exact amount of time was spent on each chart. If enforcers see entries like these, their likely response is, appropriately, “Impossible!” It is simply not possible that physicians spent exactly the same amount of time on each chart. The documentation is, therefore, clearly suspect.

Instead, physicians must document the actual amount of time they spend on each activity. If “nailing down” this issue is problematic, agencies could ask physicians to document the time they actually began each activity and the time they completed each activity.

There are many legitimate reasons for home health agencies to use the services of consulting physicians/ medical directors who also make referrals to agencies. Compliance with all applicable requirements is absolutely essential.

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Providers frequently have the following questions about these requirements:

Can I use a “sample agreement?”

No, providers who use “sample agreements” clearly risk non-compliance with potentially serious consequences. First, although the federal requirements described above apply to all providers, many states have implemented statutes and/or regulations that impose additional requirements on providers and physicians who establish these types of relationships. Because the laws vary from state to state, “sample agreements” will not reflect these requirements and are likely to be noncompliant.

In addition, the services to be provided by physicians to agencies should vary from physician to physician and must be carefully described so that they comply with the above requirements. “Sample

Updated CHEX Orientation Guides

TCG recently updated the CHEX Orientation Guides. These updates include: new screen shots and certificate printing instructions.

Please visit <http://support.corridorgroup.com> to download the updated guides. Use the following login and password. **Remember, they are case sensitive.**

Login: CHEXLEARNER
Password: GUIDE

In an effort to improve our products, we always welcome your feedback. If you have any questions or comments, please contact us at info@corridorgroup.com or call 913-362-0600.

Q&A

I completed OASIS Part 1: Technical Knowledge course and refresher test. When I selected the second portion, OASIS Part 2: Clinical Domain, there was no course. Is the OASIS course functioning properly?

The OASIS review course can only be launched in Part 1. Parts 2 and 3 are the OASIS refresher tests only.

My certificates aren't printing properly.

Certificates **cannot** be printed by selecting File and then Print. The only way to properly print a certificate is to select the print icon on the web page. CNE certificates can only be printed once upon completion of the last modules in the course and passing the required post test.

If you have CHEX questions, email them to info@corridorgroup.com or call 913-362-0600.

What Every American Can Do to Prevent Misuses of Prescription Drugs

In the face of rising trends in prescription drug abuse, the Federal government issued new guidelines for the proper disposal of unused, unneeded, or expired prescription drugs. The White House Office of National Drug Control Policy (ONDCP), the Department of Health and Human Services (HHS), and the Environmental Protection Agency (EPA) jointly released the new guidelines, which are designed to reduce the diversion of prescription drugs, while also protecting the environment.

The new Federal prescription drug disposal guidelines urge Americans to:

- Take unused, unneeded, or expired prescription drugs out of their original containers
- Mix the prescription drugs with an undesirable substance, like used coffee grounds or kitty litter, and put them in impermeable, nondescript containers, such as empty cans or sealable bags, further ensuring that the drugs are not diverted or accidentally ingested by children or pets
- Throw these containers in the *trash*
- Flush prescription drugs down the toilet *only* if the accompanying patient information specifically instructs it is safe to do so
- Return unused, unneeded, or expired prescription drugs to pharmaceutical take-back locations that allow the public to bring unused drugs to a central location for safe disposal

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The Corridor Group, Inc.

Your Single Source of Contact

6405 Metcalf Avenue, Suite 108
Overland Park, KS 66202

Phone: 913-362-0600

Fax: 913-362-5378

Email: info@corridorgroup.com

<http://www.corridorgroup.com>

“Do the right thing...right”



In the News...

Congress has asked MedPAC to tell it by June 1 how big dollar rewards should be for HHAs with good performance records and how they should be funded. It also wants MedPAC to say where the thresholds should be set for good-performance bonuses and for poor-performance payment reductions.

The government has hired recovery audit contractors (RACs) to hunt down incorrect Medicare payments in Florida, California, and New York in return for a share of what they find.

Obtain a National Provider Identifier (NPI) by May 23, 2007. This may be done online at <http://nppes.cms.hhs.gov>.

Quotes

What wisdom can you find that is greater than kindness?
~Jean Jacques Rousseau

Too often we underestimate the power of a touch, a smile, a kind word, a listening ear, an honest compliment, or the smallest act of caring, all of which have the potential to turn a life around.
~Leo Buscaglia

To accomplish great things, we must not only act, but also dream; not only plan, but also believe.
~Anatole France

Never, never, never give up.
~Winston Churchill

MANAGEMENT EDUCATION SERIES

TCG is launching a new education product for managers. The Management Education Series is available through a training portal for one year of unlimited use for all management employees in your agency. This series will improve the performance and productivity of your managers and ensures compliance by offering training and testing.

- Large screen video & robust interactivity
- Movie-style vignettes & story-based instruction
- Compelling graphics & challenging activities
- Post test to document course completion

**For more information, contact
The Corridor Group
at 913-362-0600**



The Corridor Group is a visionary leader for consulting and education for the home care and hospice industries. We are problem solvers and innovators who, through collaboration with our clients and one another, deliver results!