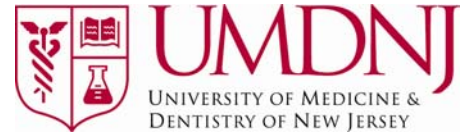


UMDNJ-Office of Ethics & Compliance

Compliance Counts!



Message From Neil Schorr

Interim Vice President of Ethics and Compliance

Initiatives for 2008:

- Scholarly Capacity Road Show
- Compliance Training Update 2008
- Joint Legal and Compliance Meetings
- Automation of reporting, tracking and disclosure of benefits
- Searchable FAQ Knowledgebase
- Policy Updates

Welcome to the new Office of Ethics & Compliance newsletter! The goal of our newsletter is to keep all UMDNJ personnel apprised of the latest ethics and compliance related news that will affect you. We also hope to use this as one additional vehicle to encourage dialogue between our office, and the UMDNJ community we serve.

The OEC, as should the rest of our University team, must always strive toward bettering ourselves. In this regard, our OEC staff wants to become more accessible and responsive to all of our team members. We encourage you to report ethics and compliance concerns to the **Ethics Helpline: (800) 215-9664** and submit ethics-related questions to our new **email address: Ethics@umdnj.edu**.

Additionally, we are working to update and improve our web-page. Please visit it often, and if you have any suggestions for its improvement, let us know.

OEC's primary mission of supporting our University's academic, research, clinical and community service goals, in an ethical, and yes - compliant, business atmosphere, cannot be accomplished alone. It is every team member's business, and should be one of every team member's goals.

Enjoy the newsletter!

Neil Schorr

Interim Vice President

*Chief Ethics & Compliance Officer
Office of Ethics & Compliance*

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OEC Welcomes New Staff

Our Newest Additions to the Ethics and Compliance Family

Kortu Hansford, CPC, CCP, PCS
Compliance Coder Auditor - NJMS

Eileen Martino, LPN, CCA
Compliance Lead Coder Auditor - NJMS

Vina Patel, CPC
Compliance Coder Auditor - RWJMS

Marc Elchoness, CPC, PCS
Assistant Compliance Officer - RWJMS

**Colleen Wade, CPC, CPC-H, CPC-E/M,
CPC-I, PCS, FCS**
Compliance Coder Auditor - SOM

Frank Goodman, CPA
Compliance Officer and Auditor - UH

Rich Merkel
Intranet Application Specialist - Ethics



HIPAA/Privacy Security News

UMDNJ maintains a host of sensitive information in various forms. Whether it is protected health information (PHI), student and employee records, or research data, information security is paramount, and in many instances, mandated by law. The OEC's Privacy & Security Group is managed by the Sr. Compliance Officer for Privacy & Security, who serves as the University's Privacy & Security Officer. He is respon-

sible for ensuring that University privacy policies are in compliance with federal and state privacy and information security requirements (e.g., HIPAA, FERPA, GLBA, Sarbanes-Oxley Act, etc.), and that our employees are in compliance with those policies.

More and more sensitive and protected information is kept in an electronic format. As technology progresses and becomes more widely used, so too must our IT

security progress to meet challenges. The Privacy & Security Officer works in conjunction with the Vice President-Information Systems & Technology, the Vice President-Internal Audit, the Deans and Unit heads, and their respective staffs, to determine how to best secure our electronic data and comply with the law, while allowing the "businesses" of the University to efficiently move forward.

In order to ensure the effectiveness of the University's privacy and security programs, the Privacy & Security Officer may, from time to time, conduct or sponsor audits of University processes and procedures, or those of specific work units. Typically, any reported breaches of University privacy or security policies are investigated by the Privacy & Security Officer.

Ethics News

It has been a truly exciting year for the Ethics Program especially with the new *Scholarly Capacity Rule* effective November 19, 2007, which amends the State Ethics Attendance at Events Law. The Scholarly Capacity Rule was created to provide more flexibility for faculty and/or employees at state academic institutions with regards to receiving honoraria, etc., while acting in a scholarly capacity. We have been working closely with the New Jersey State Ethics Commission to ensure the UMDNJ community understands the impact and new processes that must be followed. For those non-scholarly capacity event goers, a decision

tree will be posted on our website to help guide you in determining which forms to complete and the limitations that would apply, if any.

Additional initiatives: We are automating the most frequently used Ethics forms, specifically the Attendance at Event form and the Outside Activity Questionnaire! This automated process will include a workflow via UMDNJ's portal, my.umdj.edu. The best part of this project will include single sign-on, pre-filled and required fields, tool tips, and auto-notification and approval process. We will have less paper and be more efficient in processing requests and also be more **Green**.

We are also enhancing our website to be more user friendly and provide more information to the University. This will include a searchable FAQ database by keyword and/or category. You can search by your question's key words, such as "Ethics", "Scholarly Capacity", "Compliance", "Record Retention", etc. If your question is not there, you can email us at ethics@umdj.edu and we will respond to you via email.

Joanne Cheung, CHC CFE
Interim Director, Ethics Programs
Ethics Liaison Officer
973-972-8093

Gifts forwarded to the OEC from UMDNJ employees were donated to:

- *Franklin Township Food Bank, Somerset, NJ*
 - *180 Turning Lives Around, Hazlet, NJ*
 - *Family & Children's Services, New Brunswick, NJ*
 - *Elijah's Promise Soup Kitchen, New Brunswick, NJ*
 - *Girl Scouts of the Greater Essex County, NJ*
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Reporting Ethics and Compliance Concerns

There are many ways at UMDNJ to report misconduct without fear of retaliation. These methods of reporting are completely confidential, and every report is taken very seriously.

A helpline has been setup to report any misconduct at the University. The Ethics Helpline can be reached 24/7 at 800-215-9664.

You can also report ethics or compliance concerns through a confidential website: <https://www.umdj-ethics-helpline.com>.

Either method may be used for the report of a variety of ethics, integrity and compliance issues. In submitting a report, you may remain anonymous or identify yourself and provide information as to

how a representative from UMDNJ's Office of Ethics and Compliance can contact you directly if additional details are desired. In either case, your information will be treated confidentially.

A form can also be found on the OEC website to communicate with the OEC office which goes

directly to the Ethics Liaison Officer in a secure manner.

You can find this form under reporting forms and select the link for Compliance Reporting.

A special email account has been setup for the submission of ethics related questions. You can direct your ethics related questions to: ethics@umdj.edu

Meet Your Compliance Team

Robert Wood Johnson Medical School

Nancy Dean, Senior Compliance Officer
 Phone: 732-235-8501
 Fax: 732-235-8225
 deanna@umdnj.edu

University Hospital

Dara Quinn, Senior Compliance Officer
 Phone: 973- 972-8942
 Fax: 973-972-0005
 quinnnds@umdnj.edu

School of Osteopathic Medicine

Ray Braeunig, Senior Compliance Officer
 Phone: 856-566-6136
 Fax: 775-295-4609
 braeunrc@umdnj.edu

New Jersey Medical School

Kathy VanCamp, Senior Compliance Officer
 Phone: 973-972-7611
 Fax: 973-972-1377
 vancamka@umdnj.edu

New Jersey Dental School

Geeta Acharya, Compliance Officer
 Phone: 973-972-6608
 Fax: 973-972-1568
 acharygd@umdnj.edu

University Behavioral HealthCare

Alan Weinkrantz, Interim Compliance Officer
 Phone: 732-235-5940
 Fax: 732-235-5626
 weinkram@umdnj.edu

Wilhelmina Curtis, Director of Compliance Operations
 Phone: 973-972-6859
 Fax: 973-972-7174
 curtiswc@umdnj.edu

RWJMS Nancy Dean, Esq., MPA, CHC assumed the role of the Senior Compliance Officer in September 2007. Marc Elchoness, CPC, PCS and Vina Patel, CPC, joined Nancy as the first Physician Coding Auditor position at RWJMS. One of their first tasks at the Compliance Office was to establish the Dean's Compliance Committee and Operational Compliance Committee, both of which had their inaugural meetings in January 2008. The RWJMS Compliance Committees will be tackling the drafting of needed policies and procedures, implementing a physician coding review and training programs, and working with individual departments to identify compliance needs within their areas. In the coming months, a Basic Science Compliance Committee will also be established.

UH Dara Quinn, MHA, CHC, RHIA, Senior Compliance Officer, joined UMDNJ in July 2007, to oversee the University Hospital's Compliance Program activities. The UH Compliance Office promotes a culture of ethics and compliance through activities such as; employee compliance education, committees, auditing, assisting with investigations, and reporting progress to the University Hospital Board of Directors. The office serves as a hospital-wide resource for information and clarification on rules and regulations that govern the health care industry. Some of the compliance initiatives for this year include: 1) Updating the University Hospital's Compliance intranet page; 2) Review of compliance policies and procedures; and, 3) Recognition of Ethics and Compliance Week in May 2008.

SOM Ray Braeuning, CHC is the Senior Compliance Officer at our Southern campus of Stratford, NJ. Most recently we have welcomed the addition of Colleen Wade to our Compliance Coding and Auditing team. Also our OEC has moved to the University Education Center (UEC). In the beginning of January our compliance team provided in an intense review of the Stark and Anti-Kickback rules. The presentation was provided to SOM Administration and Senior Management. Nancy Dean (Senior Compliance officer-RWJ) demonstrated her keen insight, knowledge and experience and was appreciated by all attendees. In November the second of four annual sessions on consultations were presented to SOM faculty. This is a quarterly presentation and is mandatory for all SOM faculty. This fiscal year also saw the SOM Compliance Committee formed and is operational.

NJMS Kathy VanCamp, CHC Senior Compliance Officer for NJMS has been in healthcare management for over 30 years and joined UMDNJ in April 2007. During her tenure here at UMDNJ, Kathy has enjoyed the support and welcome offered by all. As the Senior Compliance Officer, she works with the Dean, the faculty and staff to promote a culture of compliance within the school. She is ably assisted by two compliance auditors, Kortu Hansford and Eileen Martino who are responsible for performing audits of physician documentation, billing and coding. In addition, she works closely with the Senior Compliance Officer at University Hospital and the Compliance Officer at UPA to jointly review issues that arise on our Newark Campus.

NJDS Geeta Acharya was appointed Compliance Officer for New Jersey Dental School. Geeta has been with UMDNJ for 10 years. She holds a dental degree (B.D.S.) from Bombay, India, and an M.B.A. from the UK. In addition, she is certified in professional coding and healthcare compliance. The presence of an official Compliance Officer is a totally new concept at the dental school; nevertheless the initiative has been enthusiastically embraced by the school's Dean, Cecile Feldman, DMD, and the faculty, staff and students. The Compliance Office serves as an educational resource for the NJDS family and, as such, is fostering an open and informed environment. One way is through a regular column, known as The Compliance Corner, which appears in most issues of the school's newsletter, "From the Dean's Desk."

UBHC Alan Weinkrantz is the Interim Compliance Officer for the University Behavioral Center. In order to create a culture supportive to compliance at UBHC, a multifaceted approach is taken to ensure and promote adherence to university policies in addition to applicable state and federal laws. The compliance function is integrated into the day to day operations and embedded into our electronic business and clinical information systems. All levels of clinical and support staff participate in compliance related activities and help ensure that risk is minimized and legal and regulatory requirements are met. Electronic business and clinical information systems are designed with system controls and significant consideration to compliance and providing tools for prospective auditing, on-going monitoring and timely intervention.

Coding Tips: Based on Counseling and/or Coordination of Care

Most Evaluation and Management codes may be billed one of two ways. First, the code may be selected based upon the levels of History, Exam and Medical Decision Making. Second, the code may be selected based upon counseling and/or coordination of care, as long as it is the dominant factor of the encounter (greater than 50% of the encounter).

Codes that are usually based on levels of History, Exam and Medical Decision Making may be selected, instead, based on total encounter time provided that greater than 50% of the encounter was spent counseling and/or coordinating patients' care. Time is defined differently depending on the setting. In the outpatient setting, Face-to-Face time is the measure for reporting purposes. In the inpatient setting, Unit/Floor time is the measure for reporting purposes.

Face-to-Face time is defined as only that time the physician spends in direct face-to-face contact with a patient. This includes the time spent in taking the patient's history and performance of the examination, as well as counseling services with the patient and/or patient's family. Non-face-to-face time may not be added into the calculation of total counseling and/or coordination of care time.

Unit/Floor time includes that time spent by the physician at the patient's bedside and on the patient's unit/floor rendering services for that patient. This includes chart review, patient exam and communication with other professionals and the patient's family. Review of pathology and radiology findings in another part of the hospital may not be added into the calculation of total counseling and/or coordination of care time.

When selecting a code based on counseling and/or coordination of care, there are a few key points to remember. All Evaluation and Management codes have been assigned an

approximate total encounter time. The reportable time is the total encounter time as long as greater than 50% of that time was providing counseling and/or coordination of care. A code may not be selected based solely on the counseling time.

Some examples of selecting a code based on counseling and or coordination of care are:

- **Established Patient Office Visit**
Total Encounter Time – 40 minutes
Total Counseling Time – 25 minutes
Code – 99215 because counseling was greater than 50% of the visit
- **New patient Office Visit**
Total Encounter Time – 60 minutes,
Total Counseling Time – 30 minutes
Code – based on History, Exam and Medical Decision Making because total Counseling time was not greater than 50% of the encounter
- **Inpatient Initial Consultation**
Total Encounter Time – 70 minutes
Total Counseling Time – 40 minutes
Code – 99253 (can't be 99254 because it is listed as an 80 minute encounter)

Counseling and/or Coordination of care may NOT be applied to codes that are inherently time based. These codes/services are:

1. Hospital discharge services
2. Critical care services
3. Preventive medicine services
4. Emergency department services
5. Nursing facility discharge
6. Care plan oversight
7. Physician stand by services
8. Newborn care

Documentation of time may be accomplished in one of 3 ways.

1. X of Y with a summary.
For Example: "I spent 30 of 45 minutes with the patient discussing...."
2. Time In and Time Out, a statement of greater than 50% spent counseling and a summary.
For Example: (located anywhere on the progress note) Time In 3:07, Time Out 3:50, "I spent greater than 50% of the encounter counseling the patient on...."
3. Total encounter time and a statement of greater than 50% spent counseling and a summary.
For Example: "Total Encounter Time – 40 minutes, greater than 50% spent discussing with the patient and family.)"

For more information about this or any other coding and/or documentation issue, contact Colleen A. Wade, CPC, CPC-H, CPC-E/M, CPC-I, PCS, FCS via email wadeca@umdnj.edu or at 856-566-6410.

Coding Tips

Don't forget the **4 R's** of Consultations!

- R**quest for the consult, preferably in writing
- R**eason for the service documented
- R**ender and document the service
- R**eport of findings back to the requesting physician

This will help keep your consultation

If you have any news that you would like included in the newsletter, please forward to:

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merkelrh@umdnj.edu
Intranet Applications Specialist
Office of Ethics and Compliance