

# THE ADVISOR

## MONTHLY COMPLIANCE COMMUNICATOR

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### SPECIAL DATES

#### HITECH ACT CHANGES HIPAA FOR HEALTHCARE

Breach, Business Associates, Enforcement and Others

• Fri, Sep 16, 2011 10:00 AM - 11:30 AM

• Wed, Oct 26, 2011 2:00 PM - 3:30 PM

#### HITECH ACT WEBINAR FOR BUSINESS ASSOCIATES

Are You Ready to be a Covered Entity?

• Mon, Sep 19, 2011 12:00 PM - 1:30 PM

• Fri, Oct 21, 2011 12:00 PM - 1:30 PM

#### INFECTION CONTROL WEBINAR - DENTAL

• November 15 and 22

For complete details and to register go to

<http://www.totalmedicalcompliance.com/category/all-products/webinars/>

### When Disaster Strikes

The East Coast experienced some challenging weather as the summer came to a close. When the largest earthquake Virginia has seen in over 100 years occurred, sending shocks from North Carolina through New England, and hurricane Irene made its way up the coast, the phones in our Call Center began to ring.

In your OSHA Manual, Emergency Procedures section there is an Action Plan for Earthquake which should be reviewed with staff.

It is always good to keep a battery operated radio on site in order to monitor late breaking news if you are without power. Other safety measures to keep in mind include moving away from windows, bookcases, filing cabinets or any other objects that may fall or shatter. It is often better to remain in the building moving to the center or basement of the structure. Once the event has passed, check for gas or water leaks or electrical shorts being careful not to put yourself in harm's way. Always check on the injured offering any first aid you may have until rescue can be completed.

A natural disaster has the potential to cause significant damage to the practice. It is important to remember a written recovery plan is required by the HIPAA Security Rule in order to outline how patient information will be protected and how it will be made accessible for continuation of care. Many items which are critical must be considered when you are responsible for the protection of patient information and the Contingency Plan which can be located in the Forms section of your HIPAA Manual will help you plan for temporary interruptions to service all the way through rebuilding a totally destroyed practice. Items to consider include: access to a damaged structure housing patient information, ordering of hardware and software and loading program information which is stored on back-up tapes or remotely, or redirecting patients needing emergency care.

Luckily we don't face these situations frequently, but it is always a best practice, and at times required by law, to have a plan when they occur!



### TMC Provides easy Proof of Training Tool

As healthcare professionals, we are great educators! Daily we train our patients, train our vendors, and train our employees. But, do we do a good job of documenting this training?

Each month your TMC newsletter is packed with valuable information on employee and patient safety, and details on the latest updates related to HIPAA compliance. This resource is an excellent educational tool IF shared with staff members. Keeping staff up to date on the latest information on compliance not only is a great risk reduction strategy, but it has also been shown to increase employee satisfaction, which can lead to lower employee turnover.

As your compliance training partner, TMC has created a documentation tool to assist with your staff training. Going forward, included in the monthly edition of The Advisor, you will find a signature page. Simply post the newsletter and signature page for your employees to review and sign. This signature page can then be filed as proof of training and your office can begin to reap the benefits of a more educated, hopefully more energized staff.



## Prevention: What Does It Mean to Your Practice?

Have you heard the adage, an ounce of prevention is worth a pound of cure? There are times in the infection control environment when this statement really applies and one of those is around the use of chemical indicators. While the use of these indicators is really not new, there may still be those not aware of the CDC's recommendation that internal indicators must be placed in EVERY package placed in sterilizers. That's not one per load, but one in each package or on a tray of unwrapped instruments.

Chemical indicators are heat sensitive inks which change color when subjected to certain elements. For instance, when used in a steam autoclave an external indicator (sterilization tape or a small area on the outside of a peel pouch) will change color when it is subjected to heat. This external indicator is a visual indication that the package has been processed. An internal indicator will provide proof that steam has penetrated the package and reached the instrument. These indicators, often referred to as multi-parameter indicators, will show exposure to time and temperature, or time, temperature, and the presence of steam. The internal indicator provides additional assurance the instrument has been subjected to an adequate sterilization process and may serve as early notification of an issue with the autoclave.

What is the practical application of these concepts? ALL employees involved in the delivery of care must understand how to correctly package instruments and the importance of checking both the external and internal indicators for color change PRIOR to using the instrument for patient care. If there is any question of adequate change in the indicators, the instrument must not be used, the instrument must be reprocessed, and the cause of the failure must be investigated.

On the outside chance instruments are used to provide care and it is discovered there was not an adequate change in the indicators, a decision must be made on patient notification. At this point it would be good to contact the practice's liability company and seek additional guidance on the potential risk of exposure to the affected patient(s). So back to the adage: check your process, educate your employees and prevent a potential patient exposure event. As healthcare providers, we are here to provide safe, effective care to those we come in contact with.

## New HIPAA and OSHA Officer Training

From time to time, the people you designate as your HIPAA and OSHA Officers can change. At the commencement of the partnership with TMC, a full training was provided to all officers and staff. Additionally, each subsequent year we train new staff and update your existing officers.

If new officers have not had the full officer training in the past, they may be confused with changes and their confusion potentially adds risk to your practice. For no additional fee, we have added two webinars (one for OSHA and one for HIPAA) that occur on the first Wednesday of each month. Be sure to get your new officers in to a webinar before your scheduled training date so they can maximize their training session. Sign up is easy within the training section of the TMC website, [www.TotalMedicalCompliance.com](http://www.TotalMedicalCompliance.com).

If in-person new officer training is desired, a one-on-one training with a TMC consultant can be scheduled for an additional fee. We are committed to providing you with the best and most convenient service that fits with your workflow.

## Completing the Annual Risk Analysis

Each year TMC works with HIPAA clients to complete the risk assessment tool. This tool outlines areas of potential liability for the practice along with recommendations or strategies which reduce the overall risk of patient information being accessed or used outside of acceptable indications. While most are familiar with the requirement of the Security Rule to conduct an annual risk assessment, for those looking for incentive reimbursement under Meaningful Use this assessment must be documented as well. With any risk assessment process in order

to close the loop for identified issues there must be corrective actions taken.

The annual risk assessment process evaluates administrative, physical and technical safeguards which the practice has in place to protect patient information. All elements of the assessment are important; however, due to potential risk of loss of information or inappropriate access to electronic environments the review of technical safeguards should include IT personnel supporting your systems. Examples of some elements of technical compliance include: encryption, secure transmission of data, person or entity authentication, audit controls and access controls. While some practices have IT support on staff, many will contract with outside vendors to provide technical assistance with their computer systems.

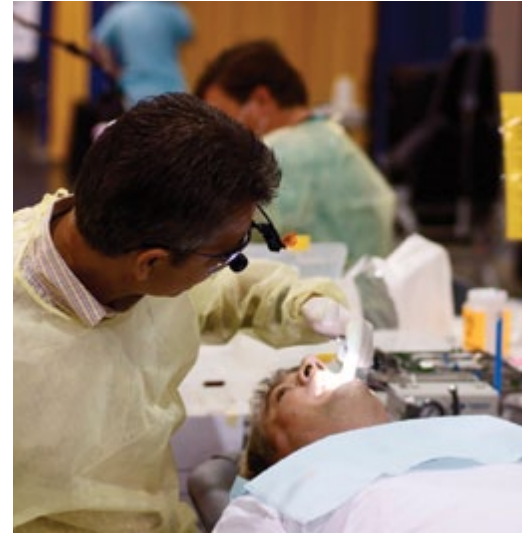
Examples of vendor support includes:

- An IT company handling PC's, servers and system integration maintenance.
- Practice management system that is maintained and serviced by the vendor who installed it.

There are almost always multiple players supporting your technology environment and it will be important they provide feedback on their areas of support from a technical assessment standpoint. Individuals or vendors should also provide you with solutions for any areas of risk identified; therefore anyone providing technical support should be familiar with both the HIPAA and HITECH regulations. IT support must also understand in detail the breach rules and acceptable technical safeguards in order to position your practice to adequately protect patient information stored in an electronic format.

As the practice manager reviewing the results of the TMC Annual Risk Analysis tool, understanding next steps becomes very important. While the tool asks critical questions there may be times when issues are identified which cannot be corrected immediately. It then becomes important to take additional steps to reduce risk in some other manner. For instance, if a back-up tape has not been encrypted, then processes are put into place whereby the tape is secured at all times until the encryption of the data can be accomplished. Be reminded though, as part of TMC's service to you we will help you problem solve in order to reduce the likelihood of loss or inappropriate access of patient information.

Our support staff can be reached at [service@totalmedicalcompliance.com](mailto:service@totalmedicalcompliance.com) or by phone at 888.862.6742.



## A Life Changed Forever – Update on NC Missions of Mercy Charlotte Clinic

by Karen Gregory, NC MOM Charlotte Ambassador

It's hard to pen the emotions I feel at this present time or to adequately describe the NC MOM Charlotte event August 18 – 20, 2011. Dental care was provided for 36 continuous hours to people who were otherwise able to receive care. While the majority of recipients were from the Charlotte area, many traveled from out of state to receive the dental services they desperately needed. The primary goal of the clinic was to alleviate pain resulting from dental issues, but there were also patients who received partials, and hygiene services were provided as well.

Over 500 dental professionals and over 700 community volunteers provided care to 2,145 patients during the two day clinic. Total donated services have been reported as \$1,070,000.00 and many TMC employees were right there, sleeves rolled up, doing whatever it took to get the job done! Bearle and Jim Chamblee, Paul and Debbie Gordick, Rick Gregory, and Heidi Erdos all volunteered their time to help. Casey Morris was also on site when Raleigh held their NC MOM clinic earlier in August.

It probably sounds a little dramatic to write about a life being changed forever, but the stories were touching. Many told of how they felt they now could apply for a job or simply smile since they were no longer ashamed of their teeth and others spoke of how they looked forward to being pain free after literally months of pain from infection or broken teeth. From a volunteer perspective, Dr. Evan Miller, a co-chair of the event said it best: "If you were there, you will never forget it."

Missions of Mercy is definitely the correct name for an event such as this. While the Charlotte clinic is fresh in our minds, clinics are offered through-out the state of North Carolina. For a complete listing of all NC MOM events go to [www.ncdental.org](http://www.ncdental.org). We at TMC are committed to giving back to our community and are proud to support and stand with others to deliver healthcare to those in need.

### Are you ready for 5010 processing?

If you file electronic claims for reimbursement, you must be in compliance with the 5010 format by January 1, 2012. Systems that do not accept and process the 5010 version of transactions will no longer be able to communicate with insurance companies, seriously affecting your reimbursement flow!

The current mandated versions of the standard transaction formats are commonly called 4010 or 4010A1. The 5010 format is the latest upgrade in the process of standardizing electronic transactions among healthcare payer organizations and providers. 5010 formats provide for larger and expanded information exchange to further improve efficiency and reduce manual handling. Reducing this manual handling is expected to bring over \$12 billion in efficiency to the healthcare industry.

While both the 4010 and the 5010 standard formats are acceptable now,

that joint processing ends on January 1, 2012. Healthcare providers, clearinghouses and payer organizations must use only the mandated 5010 requirements after that date.

Most providers will rely on their Practice Management Software vendor or electronic clearinghouse to implement and use the correct format standard. If you have not already gone through the testing process to implement 5010 or have not received a timeline from your clearinghouse or software vendor for that testing, contact them to ensure you are or will be covered.

The AMA published a guide for implementing 5010 standards. (<http://www.ama-assn.org/resources/doc/washington/5010-toolkit.pdf>) The list of things each provider should do, are published in that guide.

In addition to the AMA list, each provider needs to be aware and deal with a few other items as a part of implementation to avoid unnecessary disruptions. Your

vendors can also help you understand these items to ensure you are in compliance.

- The listed billing provider must be the actual provider. The clearinghouse or billing company can no longer be shown as the billing provider.
- The provider must use a street address not a PO Box.
- The subscriber listed in a transaction must be the patient no matter who is the owner of the coverage policy.

There may be other items specific to your practice or vendors that can impact the smooth flow of reimbursement dollars for your practice on January 1, 2012. Testing with your vendors will help you determine if other issues exist.

Don't wait. Some changes may take time to implement. Better to be ready early rather than risk disrupting your reimbursement flow.

## Use Compliance As A Practice Marketing Tool



Want to show off your compliance? Put the TMC logo on your web site! If you are currently enjoying TMC's compliance services, your practice can add the TMC Gold Logo to your web site that shows you care about your practice, your employees and your patients. The logo can simply be copied on to your web page and used free of charge. Compliance takes an entire team to achieve, and what better way to celebrate your hard work than the TMC logo for your patients and prospective patients to see. Many times it's the small

differences that will bring in business in a competitive marketplace. For questions about adding the TMC logo to your website, please contact us at [Service@TotalMedicalCompliance.com](mailto:Service@TotalMedicalCompliance.com).

## Total Medical Compliance Provides EASY Invoice Payment Options

Did you know that you can now pay your TMC invoice electronically?

When you receive our invoice in email, simply click on the Intuit Payment Network link at the bottom of your invoice. This takes you right to the payment site where you can easily make an electronic payment, safely and quickly. This is the simplest and quickest way to pay, saving you time and money!

In addition to electronic bill pay, our

traditional payment methods are still offered as well. If electronic bill pay doesn't work for your office, choose one of the following methods:

Mail a check to the address on the invoice.

Call the office and pay by credit card over the phone. Call our toll free number, 1-888-862-6742, and any member of our Client Services Team can help.

In person payments are welcome as well. You can hand the check to your consultant at the time of your annual staff training session.

If you are having difficulty paying our fee at any time, please call our Accounts Receivable Department and they will be happy to work with you on a payment arrangement. We are always striving to make our relationship as your partner in compliance a great one.

## Ongoing Education Opportunities - Webinars, Seminars & Conferences

Total Medical Compliance strives to provide ongoing education opportunities for clients and the healthcare community. Listed below are upcoming webinars and seminars which will provide additional guidance on many facets of practice function.

For complete details and to REGISTER for all seminars and webinars offered by TMC, please go to [www.totalmedicalcompliance.com](http://www.totalmedicalcompliance.com).

### OSHA Safety Officer Webinar

- Are you new to your role as the safety officer or do you just need an update? This session will provide you with an overview of your responsibilities and a review of pertinent forms you may need as you ensure your office is a safe environment for all employees.

- **Wednesday, September 7, 2011**  
**9:00 AM – 11:00 AM**
- **Wednesday, October 5, 2011**  
**2:30 PM – 4:30 PM**



### HIPAA Privacy/Security Officer Webinar

The role of the privacy and/or security officer seems to be ever changing. Whether you are new to this role or you need a review this webinar will provide you with the tools to oversee the processes and systems in place in your practice to protect patient information.

- **Wednesday, September 7, 2011**  
**2:30 PM – 4:30 PM**
- **Wednesday, October 5, 2011**  
**9AM – 11:00 AM**

### Infection Control

- Practical solutions to your infection control challenges will be provided as basic principles of epidemiology, disinfection, sterilization, and techniques to reduce the spread of infection are reviewed. Discussion of CDC guideline and recommendations provided by OSAP and APIC will be an important part of this presentation, which will position your practice to provide a safe work environment for both patients and employees.

- **Infection Control Webinar for Dental Practices - November 15 and 22**
- **Infection Control Seminar for Medical Practices - Raleigh NC September 23 and Charlotte October 20**

### Industry Conferences



Karen Gregory is a requested speaker at conferences and local meetings. Below are engagements which are open to the public, but DO require registration.

**September 9th** - OSHA and Infection Control Review – Henry Schein/Hu-Friedy Greensboro. A single incident can put the health and welfare of your employees at risk, while costing the practice thousands of dollars in fines, or in treatment costs for employees, not to mention lost time from the workplace. This event is open to anyone in the dental community who would like to attend. For further information please contact Peggy Skirball at [PMurray@hu-friedy.com](mailto:PMurray@hu-friedy.com).

**October 25** – A Compliance Review – Greater Raleigh Dental Hygiene Association

A host of compliance issues will be covered in this presentation. Would an OSHA inspector approve of the way all clinical staff utilize PPE? What about Facebook? Could it cause a problem for the practice if you are friends with patients? All these questions and more will be answered!

If you are a hygienist in the Raleigh area and are interested in attending this session, please contact Barbara Parker at [bhp@bellsouth.net](mailto:bhp@bellsouth.net).

**November 4 – 5** – The Holiday Dental Conference - Infection Control – SPICE Training for Dental Practices. For additional details and to register for this event go to [www.holidaydentalconference.com](http://www.holidaydentalconference.com).

# THE ADVISOR

MONTHLY COMPLIANCE COMMUNICATOR

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## INSTRUCTIONS

**Print and post newsletter in office for staff review. Each member should sign this form when completed. Keep on file as proof of training on these topics.**

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