

ENHANCING THE CHANGE AGENT: AN INNOVATIVE APPROACH TO REMEDIAL ACTION

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Purpose

State licensing boards have long relied upon ongoing review in order to ensure a practitioner's continued compliance with regulations. The systems used by most licensing boards include oversight by internal personnel, use of a monitor selected by the sanctioned practitioner, and ongoing reporting activities. The chance for a successful outcome in these cases is sometimes compromised by factors that include: the risk of staff bias; the monitor's objectivity; the specificity of the criteria for the monitor's review; and the credentials and expertise of the monitor.

A new approach using neutral, external third party professionals has emerged in recent years. Drawing upon a model known as Independent Private Sector Inspector General (IPSIG), proposed by the state of New York Organized Crime Task Force Construction Industry Report, organizations with no affiliation to sanctioning boards provide monitoring¹. External monitoring services were expanded to serve professionals in health care during the late 1990s.

A professional organization now exists to oversee and uphold the integrity of its members.² IPSIGs are routinely included in both private and public industry reform efforts.³ By individualizing the model to address the unique facets of the health care arena, boards have one more remediation option.

Methods

Monitoring programs are individually created and custom-tailored to address the specific needs of the practitioner and the particular issues identified by the licensing agency. Monitoring programs can effectively address a number of

¹ Combating Industry-wide Corruption, Getnick, Neal V. and Skillen, Lesley Ann. New York Law Journal, July 15, 1994.

² International Association of Independent Private Inspectors Generals. www.iaipsig.org.

³ IBID.

practice areas: billing and coding activities; prescribing; documentation; practice scope; clinical abilities; and the appropriateness of care provided.

All programs use monitors, professionals trained to oversee the implementation of the customized plan and to ensure that the physician remains in compliance with all state and federal rules and regulations. Monitors are screened, credentialed and trained to provide the in-depth oversight which is vital to the public protection mission of the boards. Monitoring occurs on-site, allowing a “hands on” review of records, billing consistency, office management, and other activities. Monitoring programs use structured outlines that are specific to the professional’s specialty, scope of practice, and the concerns enumerated by the referring party.

Licensing agencies receive detailed reports on a regular basis from the external monitor. Reports discuss the specific areas identified for monitoring as well as overall compliance. Specific recommendations for further improvement may be included.

Results

We have found that this process benefits licensing authorities, practitioners and the public. Licensing authorities receive timely, detailed, objective reports which are focused on the salient issues. The practitioner is given the opportunity to address the concerns raised by the agency or uncovered by the monitoring process, learn from the mistakes which lead to the initial intervention and become better practitioners.

Conclusion

Independent monitoring programs provide licensing agencies with excellent options when considering a disciplinary tract for matters where the agency decides that a remedial approach is appropriate.