



CHECKLIST

- Review MCO agreements.....
- Review office lease.....
- Review disability policy.....
- Review insurance policies.....
- Review billing co. agreements.....
- Cull dated physical pt. records.....
- Inspect supplies.....
- Review marketing plan.....

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Your Medical- Legal Checklist for 2021

Start off the
new year right
by completing
these tasks.

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Very few of us will miss the year 2020. It saw the closing of many podiatric offices while COVID-19 raged. It also saw the coming of reimbursable remote visits. Unfortunately, it saw the demise of many patients due to this pandemic that still ravages our country and our planet. Despite all that, our professional lives go on. As the year 2021 commences, let us take the time to make sure that we are complying with the various rules and regulations under which we live and practice.

Managed Care and Insurance Panel Agreements

Any type of insurance panel or managed care participation comes with an agreement, also known as a contract. Often, this agreement is automatically annually renewed. Often,

practitioners have no idea where a copy of that contract is. It is hard to comply with a document when you do not have access to its content.

Many such contracts require sev-

of languages spoken in your facility changed? Have your office hours changed? Has your professional society or specialty society taken any actions against you? Have you added

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eral affirmative obligations. Does it require letting them know if you have had any malpractice judgments against you? Have you changed your malpractice insurance provider? Any changes in office address? Are there any administrative disciplinary actions against you by the state or federal government? Any change in hospital privileges? Has the list

or subtracted any podiatrists to your office? Have you changed the business structure or entity? For example, have you become a PC or PLLC or changed the name of that entity in the last year? These are all matters that may give you an affirmative responsibility to update the managed care entity or insurance panel. You

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need to review the wording of each individual agreement. If you have misplaced this agreement, request a copy along with any amendments

or changing companies. If you own a professional corporation or association, make sure that the entity is covered by your plan. If it is not and it is sued, the defense will come out of your own pocket.

Review your billing company's terms to make sure they comply with your state's law.

from each managed care and insurance panel you are on or with which you participate. Update all entities that require credentialing.

Review All Other Contracts and Leases

Use the beginning of 2021 as a time to review your office leases, employment contracts, private medical waste contracts, equipment leases, billing companies, management company, malpractice insurance, disability policies, and life insurance policies.

It is important to review your life and disability policies annually as your position in life may have changed. Perhaps children will be going to college soon. You may need additional life insurance. Perhaps they graduated from college so that you feel you need less life insurance. Review your disability policy to see exactly what the terms are to collect payments, if need be. Does it require you to seek training in another line of work? Would it pay for that training? Does it cover you until you are 65 years old or for life?

Concerning your podiatric medical malpractice insurance, is it occurrence or claims made? Is it part of your state's insurance fund in case it becomes insolvent? This is a real issue as several companies have gone bankrupt in the last few years. Risk retention companies are not generally covered by any state's insurance fund. Review any exclusions in your policy. Make sure that you can live with that exclusion according to the current state of your practice. Does your claims made policy "mature" after five years, in effect converting it into an occurrence plan? This is a great feature if you are nearing retirement or contemplating moving

Review your billing company's terms to make sure they comply with your state's law. Are you paying a set amount per claim or a percentage of what is billed? Do you pay a percentage of what is paid? In many states, a billing company is not allowed to split fees. The preferred method is to pay a sum certain per insurance claim generated. There is no shortage of billing companies to choose from. Beware of companies that want to use questionable treatment codes in order to generate higher fees! In the end, it is your responsibility to make sure that what is billed under your name or entity is accurate. It is best

You may have obtained "COVID concessions" on some of your equipment leases or office leases. Check to see when they end. Plan accordingly. Check any provisions in your office lease as to rent raises. If you have any office improvements in mind, first check to see that they are allowed by the terms of your lease. Do you want to sublet to reduce your overhead? See if you are able to. Also, see if you can only sublet with prior approval of the landlord. The devil is in the details. Make sure all office insurance requirements are met and updated, as needed, under the terms of the office lease.

Make certain that you have a current medical waste agreement on hand. Update it for 2021. Keep it handy. That is another document many governmental agencies ask to see.

Inspect and Update Your Office

Make sure that your oxygen tank has been inspected recently. Make sure your oxygen tank is full. Be certain your autoclave has been inspected, with documentation to

Review your OSHA and HIPAA manuals. Have your staff review them and sign off that the review has occurred.

to use a company with certified billers and experience in billing podiatry.

Most of you reading this are either an employee or employer. Either way, things change. Review your contract(s) to know your options and see where you are. How long is left in the contract? What will/can occur if the contract is not renewed? If circumstances changed, what are the consequences of your employment being terminated? What are the notice requirements? They may differ if you are an employee or employer. Take a careful look at any restrictive covenant as to time as well as any geographical restrictions. What are your productivity requirements for the coming year? What, if anything, kicks in according to the terms of the contract on January 1, 2021?

prove same. Go over each drawer to confirm that all medication is up-to-date. Discard all out-of-date samples, creams, lotions, pills, and ointments. The Department of Health looks for this if they decide to inspect your office. Inspect any sterile packs to make sure they have valid dates on the labels. Service your microscope. Have your x-ray machine inspected and maintained. Keep the documentation as to the date of inspection/maintenance. Open your office emergency kit. Immediately replace any outdated medications. Inspect and replace, if needed, your fire extinguishers, carbon monoxide detectors, and fire detectors. Replace batteries. Watch for useful dates on these items. Replace as necessary.

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OSHA, HIPAA, etc.

Review your OSHA and HIPAA manuals. Have your staff review them and sign off that the review has occurred. In some cases, you must update the manual to comply with the law and physical changes in your office.

**Take this time to review
how many hours of CME you need
for your various state licenses.**

Your employees must be made aware of such changes.

Inspect your office for the eye wash station. Is your office signage up to date? Exit signs in place? Lighting all working? Are the locks on your files working? Do you know where the keys are? Has your staff been vaccinated for the flu? Have they been tested for COVID-19? The same question goes for you, the reader.

Have you ordered your annual updates for your computer or electronic medical record software? Strongly consider having all users of the computer network change

their passwords for the new year. Make sure each user has a unique password. See if your EMR company can customize its software for features that can make your professional life easier. Various applets that act as medication ticklers, dosage calculators, and other various reminders can save much aggravation down the road.

Physical Medical Records

Know your state's requirements for the retention of medical records. It varies by state. For non-pediatric patients, in New York, it is six years. However, it is seven years from the last date of treatment in Connecticut. It goes by the state the podiatrist practices in, not the state where the patient lives. The beginning of the year is a good time to cull your physical medical records.

Marketing

The new year is a good time to review your marketing plan. Is reference to COVID-19 changes still a good idea? Maybe; maybe not. Has anything factual changed since your last advertisement was published? Make sure all of your representations are accurate. Make sure your office hours are current. If something has changed such as additional parking, or a new bus or train to your location, why not add it to your ad? Make sure to add the names of any new podiatric physicians to your practice and eliminate those who have moved on. Consider freshening your signage and waiting room pamphlets. Patients notice.

Annual Patient Dump

Here is some valuable advice. The advice is not how to perform a procedure; it is not about a new type of treatment. It is very simple; make a list of your 10 least favorite patients. Send a letter giving them 30 days to obtain a new podiatrist. Do not state any reason in the letter. Usually, 10 of these patients give you 90% of your office aggravation. Give yourself a New Year's present.

Continue Education

Take this time to review how many hours of CME you need for your various state licenses. Additionally, attempt to take courses to expand your podiatric horizons. Do not be afraid to learn about areas into which you previously have not delved. This will have the effect of renewing your interest in a great profession, podiatry! **PM**



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