

# TEAM

## Putting Your Team Together

You are only as good as your support staff.

BY LAWRENCE F. KOBAK, DPM, JD

Every podiatrist should have a team behind them. It should, at the very least, consist of an office manager or management company, a certified billing person or company, an accountant or accounting firm that is experienced in servicing medical/podiatric practices, a marketing person or company that is quite familiar with podiatry, a competent insurance agent, an IT company, a malpractice insurance company, and a health law attorney that is not beholden to hospitals.

Using a wound care practice as an example, the concept of a team is of the utmost importance. If the wound care team consists of individually owned practices in the various specialties, they could share costs of marketing. They could even share the costs of a management company, if that management company does not control how patients are treated; in other words, the management company cannot control any aspect of the actual medical care of patients. To do so is a violation of the corporate practice of medicine, and to do so, is illegal in most states.

Additionally, cooperation in keeping each medical component of the wound care team up-to-date is essential. Clear communication between the specialists is essential to good patient wound care. Your office manager can

be of great assistance in this regard. Most aspects of having a good team do not change whether you predominantly perform wound care or not.

### Office Manager or Management Company

The days when podiatrists could administer their own offices are long gone.

to coordinate and know something about each team's area of expertise. They must recognize where, when, and from whom help is needed.

### Your IT People

Ideally, your IT people should not only maintain and repair your computer and internet connections, but

**A good office manager must be the most versatile member of your team—in effect, the quarterback of your practice.**

The kind of person or company that is needed to run the non-medical part of a podiatry office is crucial to the success of that office. The choice of the correct system for patient appointments and messages is one crucial aspect. A new patient's first contact with your practice is with that office manager or their staff. They should not be a close friend or relative whose only qualification is that they need a job. They must recognize when and when not to involve the podiatrist in managing the practice.

A good office manager must be the most versatile member of your team—in effect, the quarterback of your practice. They must be able

they should also participate in your purchase of it. It is best if they do not actually also sell it to you so that there is not conflict of interest as to which software and hardware best serves your needs. A practice tip: think twice before buying EMR software that saves your patient files in a proprietary form. It will be extremely difficult to change software companies if you cannot convert the files to the new software.

Make sure your IT team is familiar with the software you want to use, as well as the hardware you are using. They will have to keep it in working order. Also, inquire what is involved to

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customize the software and what the minimum hardware requirements are to run it. What is the software's update policy? How long is your yearly update fee guaranteed? Can they double or triple the cost of staying current?

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### Obtaining the right insurance agent is crucial for your long-term practice's health.

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As to your IT people, are they experienced working in a podiatrist's office? Being excellent IT people for a clothing manufacturer or supermarket does not necessarily translate into efficiency and efficacy in a podiatry practice. Check any references given. This last piece of advice goes for everyone that you anticipate using on your practice team.

You can employ an IT person as an employee, or you can hire an IT company as an independent contractor. Either way, there should be some sort of written contract. Remember that each contract for anyone on your team should be either written or checked by a competent health law attorney before you and your "teammate" sign it.

#### Insurance Agent

Obtaining the right insurance agent is crucial for your long-term practice's health. You will depend on this person or persons to protect you from the world. There is insurance for your physical office, personal disability, auto insurance for your business car, life insurance, professional malpractice insurance, umbrella coverage, health insurance, and other kinds of insurance too, depending upon your unique needs. Your agent should sell you only what you need. Again, some experience working with physicians is important. How much and what type of life insurance varies from client to client? Where you are in life will vary the amount of disability insurance you need.

"Little things" like the waiting period to collect disability, if you can work at some aspects of podiatry and not others due to your disability, all depend upon the wording of the policy. A good agent will be able to discuss this with you to ascertain your

needs. Your agent should be looking out for you, not themselves. By doing that, they get repeat business and referrals. Other satisfied podiatric clients are a good referral source.

Professional malpractice insurance is usually an insurance unto itself. One of the first questions should

be: is the company part of your state's insurance fund? That means, if it goes out of business, you are still covered, one way or another, depending upon the rules of your state. Off-shore companies and risk retention entities are generally not covered by state insurance funds. Therefore, this type of coverage is riskier.

Additionally, your malpractice company will offer either claims made or occurrence coverage. The difference is beyond the scope of this article, but know

that occurrence is better but more expensive. There is even something called a tail, which converts your claims made coverage to be, in effect, occurrence coverage. At least one company, after five years of paying claims-made premiums, converts the policy to a "mature" claim-made policy, which is, in effect, an occurrence plan at that stage. There are huge differences in the potential cost and actual cost of the various choices. A good agent will be able to advise you. It might depend on if you change practices, are retiring soon, moving, or even changing hospitals.

#### Marketing Person or Company

Ever since 1977, when the United States Supreme Court ruled that it is permissible for professionals to advertise, and even before that, podiatric practices needed a marketing entity of one kind or another, to "get their mes-

sage out". One should not overlook the importance of informative, tasteful literature in your waiting area that shows the various services and conditions your practice affords the patient. Setting up talks to various groups in your geographical area can be very useful too. A competent marketing person or company can fill that bill for you. The marketing person must be thoroughly familiar with what you do and how you do it. They must be able to inform the public within your geographical area that you exist and why you are needed by the public.

The marketing person must be very versatile and not depend on only one type of publicity. S/he must accurately keep track of what is working and what is not working, and must also work closely with your office manager, who in turn works closely with you, the podiatrist.

#### The Health Law Attorney

In today's litigious environment, you need a competent attorney with experience in defending you against

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a litany of charges. In the administrative arena, you can be investigated for unprofessional practice. This can impact negatively on your license to practice podiatry. This can be set off by a disgruntled former employee, an insurance company, an unsatisfied patient, or even an unhappy spouse. Administrative law is not the same as the law used in a judicial court. The rules are different. It is foolhardy to attempt to navigate by yourself. Additionally, various state and federal agencies may investigate you. A very partial list would include OSHA, CMS, CLIA, the DOJ, HIPAA violations and the ADA for starters; the list goes on.

Then you must deal with both the federal and state government hauling you into court in either a civil or criminal situation. Anti-kick-back actions, billing fraud, and Ricco

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cases are just some of what is out there. Additionally, there are other people or corporations that may sue you. This would include suits over employer contracts, sexual harassment, equipment lease agreements, insurance companies,

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and that list continues. Of course, if a good health law attorney or law firm is used wisely, prophylaxis will help avoid the problems before they ever get to potential bad legal outcomes.

**Conclusion**

It must be pointed out that the pro-

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cess of putting the team together is as important as having the team. Picking the right components for your practice is crucial. A billing person with great experience in billing anesthesia will be of little help in a practice that deals with the intricacies of wound care. An attorney or a law firm without the appropriate history and knowledge might not be able to adequately benefit you. The parts of your team must be able to communicate with each other. No one part of the team can function to their optimum capacity if they only have “half a story”.

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## As 21st century podiatric medicine changes, so does our support team.

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No podiatrist can be expected to do this all by themselves. The days of one podiatric assistant handling the phones, the appointment book, the billing, and everything else, have gone the way of the 3x5 index cards that passed for the patients’ charts. In most parts of this country, it cannot be done, or at least done well.

Finally, the members and functions of a team evolve. As 21st century podiatric medicine changes, so does our support team. Change should not necessarily be scorned. Sometimes, change opens great opportunities, opportunities that can be maximized if you have the right team to capitalize on them. **PM**

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