

UNIVERSITY HEALTH CARE
HOSPITALS AND CLINICS

GRADUATE MEDICAL EDUCATION

HOUSESTAFF POLICIES AND PROCEDURES

**Billing for Services of Residents and Fellows in Accredited Programs
(No Attending Present)**

Section 2 No. 11 Rev. 5 Review Date: December 2008 Revision Date: June 2007
Chapter: Compensation

I. PURPOSE:

In some departments, there is educational value in allowing residents or fellows to perform some services and procedures without the physical presence of the attending physician as a resident or fellow nears completion of the program in order to allow the resident or fellow to achieve increasing levels of independence.

II. POLICY:

General Rule: In the absence of specific contract provisions permitting billing of services of a resident or fellow who provides services without the presence or personal involvement of an attending physician, the UUHSC will comply with CMS standards concerning such billing. CMS generally prohibits billing for the services of a trainee without the presence and in some cases the personal involvement of the attending physician.

With respect to private commercial payors that have contractually agreed to allow billing for services performed by licensed residents and fellows in accredited programs, it is the policy of the UUHSC that no such billing shall take place until each of the following has occurred:

- (1) Quality Certification. The GME Director and Department Chair of the department seeking to bill for such service must develop a system to assure the quality of each service to be performed by licensed resident physicians in the department. The system must specify the services that may be performed by the licensed resident, must include criteria for determining when a resident is competent to perform such service without an attending present, and must specify a method for certifying each resident physician who will perform the service and submit a bill. Department Chairs and Program Directors within each department shall be accountable for operating this certification/internal credentialing system and tracking its effectiveness.
- (2) ACGME Compliance. The GME Director and Department Chair of the department seeking to bill for such service must develop a system to assure the supervision of each resident is in accordance with ACGME standards and UUHSC policies at the time the service is rendered. The supervision must be demonstrable through department records and is subject to both internal and payor audit. Department Chairs and Program Directors shall be responsible for maintaining the system and the records with respect to this supervision. The Department Chair and GME Director must certify that the ACGME program standards do not prohibit billing of commercial payors for services performed as part of the residency program.

- (3) Educational Objectives. The Graduate Medical Education office and GME Committee has the authority to grant or deny a Department's request for resident billing, based on the Department's compliance with GME educational standards, and based on the appropriateness of the service or procedure proposed to be performed and/or billed without the physical presence of the attending physician.
- (4) Billing Requirements. No resident or fellow may act as an independent practitioner and bill a commercial payor in his or her own name unless that individual has obtained a UUHSC SOM faculty appointment, completed the credentialing process, secured privileges at the facility where he or she will perform the services or procedures, and secured professional liability insurance coverage. At the same time, teaching physicians must appropriately supervise residents and fellows and may not allow billing without the physical presence of the attending physician except as provided in this policy. Medical records must accurately reflect the name of the individual providing the service.
- (5) Billing Compliance. The UUHSC Compliance Office must approve of the system of documenting and charging for such services in the specific department seeking to engage in such billing, to assure that the billing system in place can, with an extremely high degree of accuracy, prevent bills from going to any payor that prohibits such billing. The UUHSC Compliance Office, working in conjunction with the UUHSC Compliance Oversight Committee, has the final approval authority for a Department engaging in this process.
- (6) Auditing Requirements. Upon implementation and as regularly scheduled by the Compliance Office, the Department must agree to undergo a review by the UUHSC Compliance Office of the Department's billing practices with regard to services performed by residents. The Director of Compliance will consult with the Office of General Counsel, as needed, in conducting this audit. The Department will be allowed to continue billing for resident services pursuant to this policy if the Department passes the audit, and the Department's policies and practices incorporate appropriate safeguards to ensure, with a high degree of certainty, that payor standards will be met with respect to quality, competency, and supervision.

Approval Body: Graduate Medical Education Committee
Approval date: 8/87, 5/06
Policy Owner: Graduate Medical Education

Historical Information:
Review dates: 7/05, 5/05, 5/06, 5/07, 9/07, 12/08
Revision dates: 2/01, 4/06
Approval dates:

UNIVERSITY HEALTH CARE
COMPLIANCE OFFICE

APPROVAL PROCESS: Billing Private Payors for Services of Residents without
Physical Presence of a Faculty Physician

Department: _____

Chair: _____

Division: _____

Chief: _____

Date: _____

- (A) General Policy: In the absence of specific contract provisions permitting billing of services of a resident or fellow who renders services without the presence or personal involvement of an attending physician, the UUHSC will comply with CMS standards concerning such billing for private as well as government payors.
- (B) With respect to those private payors who have contractually agreed to allow such billing for otherwise competently performed services by a licensed resident physician, it is the policy of the UUHSC that no such billing shall take place until each of the following steps have been accomplished and approval by each of the following approval authorities:

(1) THE UUMG Cash Management Committee or its designated representative:

A system for documenting and charging such services, in this department, to assure that the billing system can, with an extremely high degree of accuracy, prevent billing any such services to any payor who prohibits such billing.

UUMG Representative: _____ Date: _____

(2) The GME Director and Department Chair:

A system of internal quality certification has been developed to the satisfaction of the GME Director to assure demonstrated competency and capability of each resident, for each specific item of service or procedure for which billing is sought. A copy of such certification is attached to this approval sheet. I acknowledge that the Department Chair and GME Directors shall be accountable for the operation of this certification system and tracking its effectiveness.

GME Director: _____ Date: _____

Department Chair: _____ Date: _____

(3) The GME Director and Department Chair:

I certify that the department has developed and implemented, and currently operates, a system to assure the supervision of each resident in accordance with ACGME standards at the time each service is rendered. The supervision is demonstrable through department records. I acknowledge that this supervision record is subject to both internal and payor audit, and that the Chairs and GME Directors are to be accountable for the substance and record-keeping with respect to such supervision.

GME Director: _____ Date: _____

Department Chair: _____ Date: _____

(4) The Graduate Medical Education office and GME committee or representative:

I have reviewed the proposed departmental / division proposal and supporting documentation and the proposed compliance with ACGME standards for use, education, and supervision of residents and fellows.

Approval: _____ Disapproved: _____

GME Office: _____ Date: _____

GME Committee or representative: _____ Date: _____

(5) The Director of Health Sciences Center Compliance:

I have reviewed the proposal departmental / division proposal and supporting documentation. Based on the documentation and representations / certifications of the above offices, it appears / does not appear the systems as described above provide and extremely high likelihood that payor standards will be met with the respect to quality, competency, and supervision, and an extremely low likelihood that billing could take place to any payor who prohibits such billing.

Approved: _____ Disapproved: _____ Date: _____

Karen Wilson
Executive Director Compliance
University Health Care

Comments: