

## GUIDELINES

<b>SUBJECT: Guidelines for Determining Corrective/Disciplinary Action for Violations of University of Miami Billing Compliance Plan</b>	EFFECTIVE DATE: 03/24/2015	
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**I. PURPOSE:**

The policy of the University of Miami/Miller School of Medicine is to bill only for professional services actually provided. The University recognizes that special billing requirements may apply to certain government-sponsored programs or to other providers; any such requirements must be followed.

**II. SCOPE:**

In selecting codes to describe services rendered, University physicians/practitioners and billing personnel are to select codes that they believe, in good faith, correspond to the services rendered as documented in the medical record. University physicians/practitioners and billing personnel should have a collective responsibility to be knowledgeable about the meaning of the codes applicable to their area of practice, including relevant directives from billing authorities. In addition to the disciplinary action policy, all University physicians/practitioners should be in adherence with UMMG Enforcement Policy.

**III. GUIDELINES:**

University of Miami Physicians/Practitioners and billing personnel should never submit a claim that is known to contain inaccurate information concerning the service provided, such as the charges, the identity of the physician who provided the service, the date of service, the place of service, or the Identity of the patient.

When in doubt about how to bill a particular service, including the proper CPT/ ICD-9/ICD-10 code(s) to use, a claim should not be submitted until guidance is obtained from the Department's Billing Office and/or the Office of Billing Compliance. The resolution of any such billing questions should be documented in writing.

It is the responsibility of the billing physician/practitioner to ensure that the documentation in the medical record supports the bill being submitted under their name and provider number and follow all applicable Federal and State Regulations.

**IV. Guidelines for Determining Corrective/Disciplinary Action For Deficiencies in Coding, Billing and Documentation (unacceptable high error rate) and/or Violations of University of Miami Billing Compliance Plan**

Violation	Examples of Violations (meant to be illustrative not all inclusive)	Corrective/Disciplinary Actions
<p><b>First Incident</b></p> <p><b>Possible Unintended Human Error (or Better define)</b></p> <ul style="list-style-type: none"> <li>• Unintentional conduct that violates Coding, Billing and Documentation Guidelines. Such conduct may be due to lack of experience, training, supervision, or inadequate systems. Carelessness or lack of attention to detail results in an inadvertent violation and;</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>• Failure to complete the Annual Fraud, Waste and Abuse CBL within the allotted timeframe.</li> </ul>	<ul style="list-style-type: none"> <li>• Violation of the Medicare Rule for Teaching Physician</li> <li>• Upcoding</li> <li>• Missing Documentation</li> <li>• Insufficient Documentation</li> <li>• Missing authentication (signature) of a service/orders</li> <li>• Violation of Split/Shared Visit Rule</li> <li>• Violation of "incident to" Rule</li> <li>• Violation of Cloning of Medical Records Policy</li> <li>• Unbundling of Services</li> <li>• Violation of Surgical Global Periods</li> <li>• Other coding, billing and documentation errors in violation of University Policy</li> </ul>	<p><b>Verbal Warning</b></p> <ul style="list-style-type: none"> <li>• Verbal Warning</li> <li>• Refunds</li> <li>• Re-training               <ul style="list-style-type: none"> <li>- Instructor Led Session(s)</li> <li>- Computer Based Learning</li> </ul> </li> <li>• Monitoring of Coding, Billing and Documentation practices</li> </ul> <p><b>Verbal Warning copy to Faculty Affairs in the faculty member file.</b></p>

Violation	Examples of Violations (meant to be illustrative not all inclusive)	Corrective/Disciplinary Actions
<p><b>Second Incident</b></p> <p><b>Possible Reckless or Negligent Behavior</b></p> <ul style="list-style-type: none"> <li>• Conduct that violates Billing Compliance Plan or other University Related Policies that is not for malicious intent or personal/financial gain and;</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>• Failure to complete the Annual Fraud, Waste and Abuse CBL within the allotted timeframe.</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>• Failing score as a result of the annual coding, billing and documentation retrospective review</li> </ul>	<ul style="list-style-type: none"> <li>• Violation of the Medicare Rule for Teaching Physician</li> <li>• Upcoding/Overcoding</li> <li>• Missing Documentation</li> <li>• Insufficient Documentation</li> <li>• Missing authentication (signature) of a service/orders</li> <li>• Violation of Split/Shared Visit Rule</li> <li>• Violation of "incident to" Rule</li> <li>• Violation of Cloning of Medical Records Policy</li> <li>• Unbundling of Services</li> <li>• Violation of Surgical Global Periods</li> <li>• Other coding, billing and documentation errors against University Policy</li> </ul>	<p><b>Written Warning</b></p> <ul style="list-style-type: none"> <li>• Written Notice</li> <li>• Refunds</li> <li>• Re-training               <ul style="list-style-type: none"> <li>- Instructor Led Session(s)</li> <li>- Computer Based Learning</li> </ul> </li> <li>• Monitoring of Coding, Billing and Documentation practices</li> </ul> <p><b>Written Notice copy to Faculty Affairs in the faculty member file.</b></p>

Violation	Examples of Violations (meant to be illustrative not all inclusive)	Corrective/Disciplinary Actions
<b>Third Incident</b>		
<b>Willful Misconduct</b> <ul style="list-style-type: none"> <li>Intentional conduct that violates the Billing Compliance Plan, State and Federal Regulations or other related University policies with malicious intent or for personal/financial gain and;</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>Failure to complete the Annual Fraud, Waste and Abuse CBL within the allotted timeframe</li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>Two consecutive failing scores as a result of the coding, billing and documentation retrospective reviews.</li> </ul>	<ul style="list-style-type: none"> <li>Violation of the Medicare Rule for Teaching Physician</li> <li>Upcoding/Overcoding</li> <li>Missing Documentation</li> <li>Insufficient Documentation</li> <li>Missing authentication (signature) of a service/orders</li> <li>Violation of Split/Shared Visit Rule</li> <li>Violation of "incident to" Rule</li> <li>Violation of Cloning of Medical Records Policy</li> <li>Unbundling of Services</li> <li>Violation of Surgical Global Periods</li> <li>Other coding, billing and documentation errors against University Policy</li> </ul>	<p><b>Third incident Corrective/Disciplinary Action must be approved in writing by Faculty Affairs and the Department Chairman.</b></p> <ul style="list-style-type: none"> <li>Written Notice (w/copy to file in Faculty Affairs)</li> <li>Refunds</li> <li>Re-training <ul style="list-style-type: none"> <li>One-on-One Session(s)</li> </ul> </li> <li>Stop Billing and Prospective Review</li> <li>Monitoring of Coding, Billing and Documentation practices, if applicable</li> <li>Further disciplinary action up to the Department Chairman</li> </ul> <p><b>Final warning, suspension or dismissal will depend on the nature and severity of the violation, or number of incidents and/or applicable Faculty Manual and UMMG policies and procedures violations.</b></p> <p><i>(consideration for continuity of care concerns should be addressed)</i></p>

**V. Guidelines for Determining Corrective/Disciplinary Action For Failure to Comply with Attendance/Completion of Mandatory/Required Training**

Violation	Examples of Violations (meant to be illustrative not all inclusive)	Corrective/Disciplinary Actions
<ul style="list-style-type: none"> <li>Failure to Attend or Complete Mandatory Training</li> </ul>	<ul style="list-style-type: none"> <li>Fraud Waste and Abuse Training</li> <li>Required Annual Coding, Billing and Documentation Departmental Live Session Training</li> <li>Required Coding, Billing and Documentation Training as the result of a Failing Score in the Annual Review of Billed Services.</li> </ul>	<p>Verbal Notice (w/copy to file in Faculty Affairs)</p> <ul style="list-style-type: none"> <li>If the assigned training course is not completed within three (3) months after the verbal warning, a written warning will be issued, with a copy to the Department Chairman and copy to Faculty Affairs member file</li> <li>If the assigned training course is not completed within six (6) months after the verbal warning, this may result in further disciplinary action including stop billing of physician services until training is completed</li> <li>Further disciplinary action, recommended by the Department Chairman, may be imposed for failure to comply with attendance and/or completion of mandatory or required training session(s)</li> </ul>