

Be the captain of your own ship

By Jennifer Kirschenbaum, Esq.

For new bicycle riders, it's exciting when the training wheels come off, but it's somewhat daunting, too. Similarly, new chiropractors who are leaving training and entering practice will no longer have the safety of an educator or mentor figure watching their every move.

New doctors are now on their own, learning to treat their patients with the knowledge they've gained, employing their own professional judgment.

Unlike other areas of medicine, chiropractic tends to breed entrepreneurs looking to open their own practices, and many work their entire careers as solo DCs. While this setup may be a rewarding one, where many doctors are reaping the benefits of their own efforts, as opposed to working to make someone else money, an enormous amount of responsibility passes to a new doctor very quickly when taking on such a task.

Minding your care

Regardless of whether you join an existing practice or open your own, upon leaving training you are responsible for your professional actions — and your own malpractice. If your manipulation injures a patient, it is not the fault of the owner of the practice you are working for, it is your “negligence” that caused the injury (assuming something was done wrong or below the ordinary standard of care).

Of course, malpractice insurance helps to protect against such an occurrence. Still, the scenario discussed above is the first and foremost thought on every doctor's mind: What happens if I hurt a patient, or a patient has a claim against me?

This is not an area a young doctor need be overly concerned about, however. Being the captain of your own ship and taking ownership of your actions as a new doctor means a lot more than taking ownership of your treatment of patients.

Doing the documentation

Actually, treating patients is the easy part of medicine; administrative work is what consumes the majority of most professionals' time at the office. Specifically, activities like signing on with, or signing out of insurance companies; preauthorizing treatment; submitting appropriate bills and supporting documentation; and following up and collecting for services rendered take up most of a doctor's day.

And, being appropriately enrolled, getting preauthorization for care and actually getting reimbursed for services rendered will most likely be harder for you than treating patients. Training does not prepare you for the type of administrative burdens placed on doctors nowadays. In fact, errors in the processes described in this paragraph may be more damaging than a malpractice claim.

While many go into chiropractic to help people, it remains a fact that a chiropractic practice is a business and must be run as such. If a practice is not getting paid, it cannot operate. For new doctors without exposure to the third-party payer “process” — it's important to be introduced to the basics.

You may have learned a bit about documenting while in school; but once you're out of school, documenting is a whole new game. Submitting a claim to a third-party payer is exactly the same as submitting a bill for reimbursement. Often, the third-party payer wants to know exactly what it is paying for and, as a result, may request to see your patient notes to ensure you are actually performing the services for which you are billing.

More times than not, if a third-party payer looks hard enough at a doctor's documentation, the payer will find “gaps” in required documentation, and will use those gaps to deny claims for reimbursement.

If you are running a restaurant and you are paying all of your overhead but customers continue to walk out without paying, what happens?

This is exactly what has been happening nationwide in chiropractic. As a new doctor leaving training, and potentially starting your own practice, understand that the task of keeping appropriate documentation now falls on you. You must ensure you are operating appropriately under all applicable billing requirements for the third-party payers you bill.

Some new doctors will be looking to practice as completely out-of-network providers, accepting no insurance. Unfortunately, most practitioners do not live in an area where their patient population will agree to pay fee-for-service, and as such, participating and “cooperating” with third-party payers is a necessary evil.

Be sure to confirm you are meeting applicable requirements by working with a recognized chiropractic coding and documentation expert.

Don't simply rely on a sampling of notes from other practitioners.

Learn the law

In addition to appropriate treatment and documentation, consider your licensure as a new member of the chiropractic community. You need to make sure you keep your license clean and do not take any actions that put it in jeopardy.

Sometimes, when a licensure action is commenced against a professional, it may be for an action the licensee has taken that has caused the state to question that licensee's "fitness" to practice that profession. Your license is yours to keep (or lose), and potential licensure problems may result upon actions that are not becoming of a professional, or that are in flat-out violation of kick-back, self-referral or other laws.

It's imperative to be aware of potential red flags when practicing. A good litmus test is: If an arrangement comes along that seems too good to be true, it probably is.

If you are concerned that an arrangement is suspect, you should seek the advice of a healthcare attorney, one who regularly represents practitioners and is familiar with the prohibitions that apply to chiropractic.

Being captain of your ship means taking responsibility for your own malpractice, your documentation and administrative work, and operating in accordance with all laws, rules and regulations. With a little practice, operating in accordance with the above will be second nature.

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