



MedMANAGEMENT *Matters*

Volume 2 / Issue 4
WINTER 2011

Message from the *President*



Ohio MGMA President
Frank Combs

“Again, our strength lies in the collective knowledge and experience of our membership.”

“All great changes are preceded by chaos.” These words from Deepak Chopra are fitting in today’s medical practice management environment. We are in the middle of changing models of care, reimbursement, and quality. So how should we navigate these waters? What should we lean on during these challenging times? OMGMA, with over 400 active members, is planning to lean on one another through sharing of information, education and networking. Here are a few examples of projects that illustrate this effort.

- In the first quarter of 2012, we are planning to implement the OMGMA 2012 Staff Salary Survey to gather and share important compensation information. Members can use this data as they make important decisions about benefit structures and staff salary increases this year.
- We are poised to present approximately 9 webinars, with topics ranging from medical practice benchmarking to ICD-10 preparation and transition.
- Our winter education conference will focus on physician and staff resource management (more details below). Then in the fall we plan to offer a 2 day conference which will focus on the MGMA Body of Knowledge. This 2 day format will al-

low additional time for focused break-out sessions and member networking.

- We are excited to tryout our new conference location, the Crowne Plaza Columbus North facility. As we have experienced extraordinary growth, both from active and business associate memberships, we simply need more space. We are anxious to receive some feedback from you about the new location.
- OMGMA has implemented a listserv for members to share questions, ideas, best practices and network with fellow practice leaders. If you haven’t already, join the listserv

Again, our strength lies in the collective knowledge and experience of our membership. So as we plan to meet our challenges in 2012 we want to expand our capacity to lean on one another and grow our membership. I challenge you to find one person in your professional life that can contribute to OMGMA and receive the many benefits of membership. Yes, we are confronted with many challenges in healthcare right now, however we don’t have to face them alone.

Happy New Year and may you find much success in 2012!

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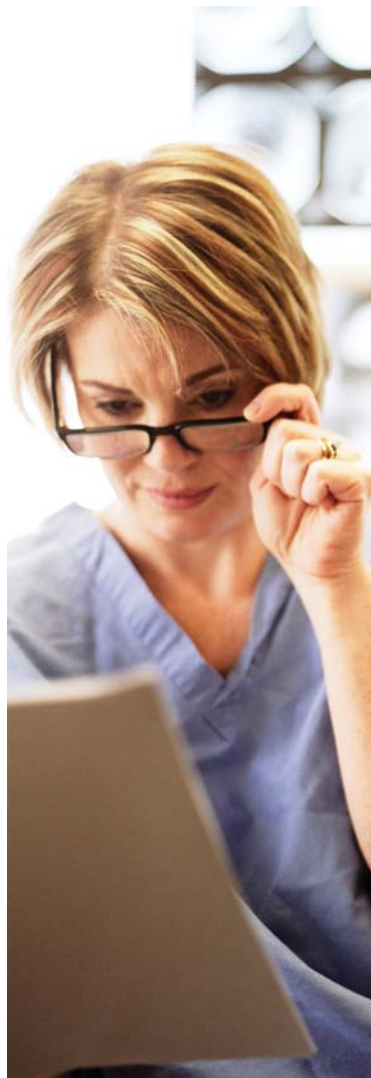
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MedMANAGEMENT *Matters*



MedManagement Matters

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A Call to Authors

Ohio MGMA welcomes the submission of articles and other information from our members for publication. To submit a potential article/information for the next issue please contact the Ohio MGMA office at (330) 621-4353 or by email at main@ohiomgma.com

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OHIO MGMA

Purpose & Objective

- To promote a program of mutual education in the field of medical group practice administration.
- To disseminate information of mutual interest.
- To improve administration in medical groups in order to serve the members of the Association, the medical groups they represent and medical group practice.
- To cooperate with other organizations having similar aims and objectives.

Upcoming *Events*

Save These Dates:

March 2, 2012

2012 Annual State Winter Conference

“Resource Management”

Crowne Plaza Columbus North (new location!)
Columbus, OH

Featuring Keynote Speakers:

Marc D. Halley, MBA

President and Chief Executive Officer, The Halley Consulting Group

Laurie K. Baedke, FACHE, FACMPE

President, The LIFEworks Group

Conference brochure and online registration available NOW at www.ohiomgma.com

September 20-21, 2012

2012 Annual State Fall Conference

Crowne Plaza Columbus North, Columbus, OH

New two-day format designed to expand on educational offerings and to give you more time to network with your peers. Keep an eye on our website, www.ohiomgma.com for more information that will be posted soon!

Webinars

The Ohio MGMA webinar committee is currently pulling together our 2012 schedule and presentations. Stay tuned to the Ohio MGMA website at www.ohiomgma.com for more information and registration on upcoming webinars for our members.



Ohio
A State Affiliate

It's time to register for the
Annual State Winter Conference!

“Resource Management”
March 2, 2012
Crowne Plaza Columbus North
Columbus, Ohio

New location this year!
**\$95 overnight room rate (+ applicable taxes) includes full hot
buffet breakfast.**

**Space is limited. Register online today at
www.ohiomgma.com**

Don't Miss...



Marc D. Halley, MBA
President and Chief Executive
Officer, The Halley Consulting
Group, LLC



**Laurie K. Baedke, FACHE,
FACMPE**
President, The LIFEworks Group

New Case Highlights Importance of FMV Analysis in Physician-Hospital Ventures



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In 2010, Bradford Regional Medical Center learned the dangers of the integration of physician owned ancillary business with hospital healthcare. The United States District Court in Pennsylvania held that a direct financial relationship existed between the medical center and physicians relating to a subleasing arrangement for a nuclear camera which violated the False Claims Act, the Anti-kickback Statute, and the Stark law. Two physicians, Dr. Vaccaro and Dr. Saleh, routinely referred patients to Bradford for nuclear imaging until obtaining their own camera. Bradford faced a significant loss of revenue, as the physicians no longer needed to refer their patients to the hospital for imaging.

To combat its potential deficit, Bradford threatened to revoke the doctors' hospital privileges. In compromise, the parties began a joint venture in which Bradford would pay V & S Medical Associates, LLC (owned by the physicians), for each diagnostic test administered to Bradford's patients. Bradford then would bill the individual patient for each service. In addition, Bradford agreed to sublease the nuclear camera from the physicians for five years; in exchange, the physicians would not own or operate a competing outpatient diagnostic imaging services center within thirty miles of the hospital.

Under the Stark law, if a physician has a financial relationship with an entity, then the physician may not make referrals for designated health services which payment will be rendered under Medicare. A financial relationship exists where there is remuneration, direct or indirect, in cash or in kind. The court found a direct financial relationship based upon payments by Bradford to the two physicians for the sublease of the nuclear camera. Although the payments were made to the LLC and not to the doctors individually, the payments for the camera relieved the physicians' personal liability for the equipment cost. In addition, the court found an indirect relationship in the aggregate compensation received by the

doctors that takes into account the volume or value of anticipated referrals generated by the doctors for Bradford.

After determining that a financial relationship exists, the court examined the applicability of an exception. In order to be covered by any exception to the Stark law, the physicians must meet two criteria: the compensation must be based on fair market value and the agreement must be in writing, signed by the parties, and specify the services, equipment, or premises involved. The court found that the compensation Bradford paid to the physicians was not fair market value as it depends on the volume of patients referred for diagnostic tests. In addition, the court found that the signed lease agreement only specified the camera and did not cover a subsequent camera subleased by the hospital. Therefore, Bradford's financial relationship was not covered by any exception to Stark.

Ultimately, the court found that Bradford, Dr. Vaccaro, and Dr. Saleh knowingly violated the Stark law and Anti-kickback Statute by entering into the equipment sublease, which contained a non-compete payment roughly equal to the referral business Bradford would get from the physicians and the business the physicians would lose from abandoning its own camera.

Physicians entering into arrangements with hospitals for leasing of space or equipment should ensure that any compensation is for fair market value. As the case with the physicians in Pennsylvania shows, failure to do so can lead to trouble that far exceeds the benefit of the deal.

Richard D. Sanders, Esq. is the President of The Sanders Law Firm, P.C. in Birmingham and Atlanta. The firm specializes in representing physicians in corporate and regulatory matters. He can be reached at rsanders@southernhealthlawyers.com or (205) 930-4289. Special thanks to Elizabeth Huffman, a third-year student at the Cumberland School of Law, for her assistance in drafting this article.



2012 Ohio MGMA Membership Drive

The Purpose of Ohio MGMA:

The Ohio Medical Group Management Association (OMGMA) is a leadership organization dedicated to the continuous personal development of professionals in medical practice management through education.

Our strength lies in the collective knowledge and experience of our membership and each member makes us a stronger association. The collective membership also provides us a larger voice when it comes to legislative efforts and advocacy in our state.

If you find value in your Ohio MGMA membership, we are asking that you set a personal goal to recruit one new member next year! Share with your colleagues how Ohio MGMA has helped you.

Remember the old adage of "strength in numbers"...together, we share a larger, louder voice.

Let us recruit new members together in 2012 to provide Ohio MGMA the loudest voice to-date!

Direct potential new members to our website where they can join online at: <http://www.ohiomgma.com/membership.htm> or if they would like more information before joining they can contact our office at: main@ohiomgma.com



*Frank Combs, Mary Alice Streeter
and Michael O'Connell*

In recognition of
**Mary Alice Streeter,
CPA, CMPE**

1981 - 2011

Thank you for 30
years of unflagging
dedication & your
generous support of
the Ohio MGMA

Membership Reminder

It's time to renew your Ohio MGMA membership and pay your annual dues for 2012! Remember, membership with Ohio MGMA is separate from National MGMA membership.

Ohio MGMA membership includes over 420 members, consisting of: CEOs, CFOs, Partners, Vice Presidents and Directors, Practice Administrators, Practice Office, Physicians, Billing Managers, Billing and Collections Staff. Your peers represent private and academic practices, ambulatory surgical and community health centers, health care delivery systems and management service organizations from across our state. Our membership crosses all clinical specialties.

To renew your membership or become a new member of Ohio MGMA you can PAY NOW with your credit card online at <http://ohiomgma.com/membership.html>.

Instructions:

- go to <http://ohiomgma.com/membership.html>
- select your proper membership category from Active, Business Associate or Student and click on "to register or renew your membership"
- fill out requested member information and payment information and submit

If you need a copy of your invoice so that you can pay by check, please email us at main@ohiomgma.com and make sure you include your mailing address so we can double check your membership profile information!

We look forward to your participation in 2012!



Ohio
A State Affiliate



ACMPE Update



Ohio MGMA ACMPE Forum Representative
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ACMPE Membership – Advancing to Fellow Status

You joined ACMPE to be board certified in Medical Practice Management. Take the next step and become an ACMPE Fellow by either writing three case studies or a professional paper. As your ACMPE Forum Representative for the State of Ohio, I am available to help with you that effort.

Advancing to Fellow status (FACMPE) is the highest level of distinction you can earn in the medical practice management profession. It signifies:

- Superior standards of performance
- Professional competency
- Ongoing personal and professional development in the field

It encourages ongoing personal and professional development in the field. Fellowship also demonstrates your dedication to becoming the very best at what you do, as well as your willingness to pass your knowledge and insight along to others. Attaining Fellowship is the beginning of an exciting new era in your medical management career that holds:

- Greater professional respect and recognition
- Unparalleled leadership and mentoring opportunities
- High-profile speaking engagements and expert panels
- Requests for your unique perspective and opinions and much more.

2012 Deadlines to Become an ACMPE Fellow

- **May 11, 2012** – Recommended outline deadline
- **Aug. 31, 2012** – Final manuscript deadline
- **October 2012** – New Fellow recognition at the MGMA 2012 Annual Conference

Also, the Ohio MGMA is providing a special benefit for Ohio MGMA members who become fellows in 2012.

*The Ohio Medical Group Management Association (OMGMA) Board of Directors has approved an effort to encourage ACMPE certified members (CMPEs) who are Ohio MGMA members to pursue ACMPE fellowship. Any Ohio MGMA member who achieves fellowship in 2012 and chooses to attend the MGMA National Conference in San Antonio, TX, **will have their registration fee reimbursed by Ohio MGMA.** That's up to a \$900 value to encourage members to pursue fellowship and walk the stage and receive an award from the Chairman of the MGMA-ACMPE Board of Directors. ACMPE fellowship is the highest level of professional designation and an accomplishment that every medical practice manager should pursue. If you are not an Ohio MGMA member, you may go to the Ohio MGMA website at www.ohiomgma.com and complete a membership application. Also, at the Ohio MGMA Winter 2012 conference on March 1, 2012, in Columbus, OH, there will be a luncheon seminar for those interested in learning more about becoming a fellow in the College. Information about that program is also available on the Ohio MGMA website. And in achieving fellowship, OMGMA will want you to share your experiences and knowledge with the membership by attending a 2013 OMGMA educational program.*

If you know of someone who is interested in pursuing fellowship in the College, please feel free to have him/her contact me for more information or go to the website www.mgma.com/acmpe/ for more information.

Share the good news about this wonderful opportunity in 2012 with your ACMPE friends and colleagues.

Make a difference for yourself in 2012.

Local Chapter Events

Cincinnati MGMA

Upcoming Cincinnati MGMA Events:

- Thursday, January 19, 2012
- Thursday, March 22, 2012
- The May Spring Conference will be scheduled when we have a Red's Game Schedule.

For more information visit: www.mgmacincinnati.com

Miami Valley MGMA

Luncheon Meetings for 2012

Please mark your calendar now and plan on joining Miami Valley MGMA at the following 2012 MVMGMA general membership meetings.

- January 18, 2012 - NCR Country Club - 11:00 a.m. - 1:00 p.m.
- March 14, 2012 - NCR Country Club - 11:00 a.m. - 1:00 p.m.
- May 9, 2012 - NCR Country Club - 8:00 a.m. - 10:00 a.m.

For more information visit: <http://mvmgma.com/news.php>



“As physicians, we have so many unknowns coming our way...

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2011 Fall Conference



Bill Thorner, Ohio MGMA Past President, presented with recognition plaque by Frank Combs



Conference Networking Luncheon



Networking: Chris Lah, Alan Mullins and Thom Speakman



Door Prize Winner: Grace Kendrick with Bill Thorner



Kathy Everitt with Professional Solutions Insurance Company



Frank Combs and Michael O'Connell presenting 30 Years of Service Award to Mary Alice Streeter



Mike Kohl and John Flanagan with Medicus Insurance Company

2011 MGMA Annual Conference in Las Vegas - ACMPE Fellows Dinner Ohio MGMA Members



(from far left) Michael O'Connell MHA, FACHE, FACMPE; Mark Kent, FACHE, FACMPE; Todd Fowler, MBA, FACMPE; Arna Safar, FACMPE; Richard Wagner Jr., FACMPE; Kathleen Kostelnick, FACMPE, CMM; Frank Combs, MBA, FACMPE; Carl Whittenburg, FACMPE; Rosie Taulbee, FACMPE; Cheryl Hanlon, RN, FACMPE

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