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Eliminate Common ASC Coding and Billing Compliance Issues

Follow these steps **BY KEN BULOW**

Noncompliant coding and billing can lead to increased denials, missed reimbursement opportunities and unnecessary refunds. Additionally, poor compliance outcomes harm surgeon and patient satisfaction and could lead to more serious consequences, including loss of payer contracts and legal ramifications.

Unfortunately, maintaining compliance can prove challenging. Coding rules change regularly. Denials from incorrect coding can force an ASC to allocate resources to file appeals and resolve inaccurate information. Under-coded claims can leave potential revenue on the table and cause the ASC to receive lower reimbursement than it deserves. Undetected upcoding can lead to higher "unearned" reimbursement. When this happens, ASCs will be expected to refund the overpayment. More extreme upcoding can lead to regulatory scrutiny.

Billing rules also change frequently. While rules sometimes overlap between payers, to submit clean claims an ASC must understand typically substantial differences in payers. The documentation payers require to approve a claim also can vary.

Since coders and billers review details about patient cases, this means they are handling protected health information (PHI) and must follow the *Health Insurance Portability and Accountability Act (HIPAA) of 1996* regulations. If a coder or biller fails to appropriately safeguard PHI and runs afoul of HIPAA, they and their ASC could face penalties. A more serious HIPAA violation, perhaps one resulting from a data breach caused by coder or biller negligence—even if accidental—could lead to more



severe penalties and ramifications. Shortcomings with technology compliance also can leave an ASC more vulnerable to data breaches.

The Road to Improved Compliance

Consider the following to remain on the right side of requirements.

Employ certified ASC coders. Whether your ASC performs coding in-house or outsources it, make sure to hire certified ASC coders to maintain consistency between those performing the coding. Surgery center procedures bring their own unique coding rules. A certified, experienced ASC coder will be better suited to achieve compliant coding.

Employ billers with ASC expertise. Billers with ASC billing expertise have knowledge and experience with billing ASC procedures, ASC specialties and multiple payer types.

Keep current. Keep your coders and billers up to date on all changes to coding and billing rules. If a rule change occurs affecting an ASC and its coder or biller is unaware of the revision, denials are likely to follow or the ASC may miss out on billing opportunities.

Invest in resources. Coders and billers should have access to the resources they need to keep current and complete their responsibilities, including coding manuals, payer announcements, online databases, publications, webinars and discussion boards. These resources become even more important when an ASC brings in a new specialty or procedure. Coders and billers should have time built into their schedule to take full advantage of these resources.

Educate on HIPAA. Include your coders and billers in all HIPAA training and education. HIPAA rules should be fur-

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ther emphasized when coders and billers perform work duties outside of the ASC where other people might be able to view their computer screen with PHI or hear conversations about patients. In addition, staff performing remote work who use personal computer devices should receive education on how to maintain data integrity, keep sensitive data secure and detect data breaches.

If an ASC is outsourcing coding or billing, the billing partner should be willing to sign a HIPAA business associate agreement and provide details about its compliance efforts.

Prioritize security and security technology. Even the most careful coder or biller can encounter compliance issues if the technology they use is insecure. Insecure technology—technology without proper security safeguards—is more prone to successful cyberattacks.

When selecting technology to support coders and billers, ASCs should choose solutions that make security a top priority. Surgery centers must ensure the technology complies with security best practices and standard-setting bodies. Software should be routinely updated and patched.

ASCs would be wise to support their staff by investing in security solutions such as data encryption, password managers and endpoint protection and response tools. Ongoing security training and routine technology assessments can identify opportunities for improvement.

ASCs will want to provide remote staff with the solutions necessary to maintain data security. If an ASC is outsourcing coding and billing services, technology compliance should be an ongoing topic of discussion. A good billing partner will help clients with compliance guidance and resources.

Undergo regular external assessments. It is a best practice for an ASC to undergo routine revenue cycle assessments performed by a third party to



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—Ken Bulow, *Surgical Notes*

examine metrics and processes and identify issues negatively affecting cash flow. It also is a best practice for ASCs to undergo routine compliance audits. Such an audit will examine everything from an ASC's efforts to perform proper coding and billing to training staff on HIPAA to cybersecurity vulnerabilities. A successful audit can catch shortcomings before they become significant problems.

Performing internal assessments can help spot compliance problems, but an ASC will benefit from unbiased eyes on its people, performance, technology and processes. The provider of an external assessment likely will take a different approach than the internal assessment and can identify additional gaps. An ASC also will

benefit from the expertise the auditor brings to the center.

Turn to the experts. Considering the complexities of ASC coding and billing, including compliance in these areas, ASCs would be wise to seek assistance when needed. This could mean anything from undergoing an audit of coding and billing performance to partnering with an ASC coding and billing company. Poor-performing coding and billing are detrimental to an ASC's bottom line. Add in compliance shortcomings and the potential harm to a center grows significantly.

Giving Compliance the Attention It Deserves

Maintaining compliance might not be high on the list of job responsibilities for an ASC coder and biller, but it must be treated as a priority. By emphasizing the importance of compliance with coders and billers when they start at your ASC and reinforcing its importance throughout their employment, all the while giving them the resources they need to meet expectations and regulatory requirements, you will reduce the likelihood of compliance issues.

If your ASC chooses to outsource coding and billing, compliance should be an important topic of conversation with vendors you are considering, and one you will want to revisit regularly with the partner you choose. Collections success will be naught if the billing partner is the source of a compliance violation or if the company failed to do all it could and should to help ensure its ASC client complies with regulations. «



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