JOINT RADIOLGY/CARDIOLOGY PROGRAM

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FINANCIAL DISCLOSURES

None
I AM NOT A LAWYER

"All our doctors have quit practice, but you can see an attorney."
ASPECTS TO CONSIDER

• Credentialing
• Exams
• Money
• Legal
• Training program
CREDENTIALING

- What training guidelines?
  - ACC and/or ACR
  - CBCCT and/or CoAP
- Who will perform cardiac and non-cardiac interpretation?
- Who will be leader?
EXAMS

- Which exams are going to be included in the service?
- How to specify which exams are included in the service?
MONEY

- Who is doing the billing?
- How will the money be distributed?
LEGAL

- Who is responsible for interpretative errors?
- Who is the billing responsible physician?
TRAINING PROGRAM

- Do you have a training program for
  - radiology residents?
  - radiology fellows?
  - cardiology fellows?
  - dedicated cardiac imaging?
DESIGN

Radiology Only

Combined

Split Exams

Split Reads
COMBINED SERVICE

Split Exams
CREDENTIALING

- Training guidelines
  - Cardiologist- ACC
  - Radiologist- ACR
  - CBCCT and/or CoAP

- Leader- Level III trained
ACR GUIDELINES

- Initial
  - 50 supervised exams
  - 30 CME - cardiac related

- Maintenance
  - 75 exams/3 years
  - 150 CME/3 years with practice appropriate amount in Cardiac CT
ACC- LEVEL I

• Introduction
• Not qualified for independent reads
• 50 coronary CTA

**ACC- LEVEL II**

- Independent interpretation
- Initial
  - 150 coronary CTA + 50 non-contrast
    - 50 present for performance
  - 20 CME CT and/or CCT
- Maintenance
  - 50 exams/year
  - 20 CME/3 years CCT

ACC- LEVEL III

- Director of program
- Initial
  - 300 coronary CTA + 100 non-contrast
    - 100 present for performance
  - 40 CME CT and/or CCT
- Maintenance
  - 100 exams/year
  - 40 CME/3 years CCT

CREDENTIALING

• Cardiac and non-cardiac interpretation
  • One MD responsible for entire study
  • No Split read
EXAMS

- Exams included in the service
  - Cardiac CT
  - Thoracic Aorta CTAs

- Exams specified by CPT code
  - 75571, 75572, 75573, and 75574
  - 71275
MONEY

- Billing done by Radiology
- Money is split 50/50 regardless of interpreting physician
- Money paid out on quarterly basis
• Who is responsible for interpretative errors?

• Who is the billing responsible physician?
LEGAL- SPLIT READ

• Not allow code modifier (-52) to indicate entire service not rendered
  • Unbundling of services is prohibited

• False Claims Act
• Antikickback and Antimarkup statutes
• Stark Law
• Code “62” and “66” from surgical procedures
  • “62” - surgeons of same specialty working together
  • “66” - surgeons of different specialties working as “surgical team”
25. FEDERAL TAX I.D. NUMBER

31. SIGNATURE OF PHYSICIAN OR SUPPLIER INCLUDING DEGREES OR CREDENTIALS
(I certify that the statements on the reverse apply to this bill and are made a part thereof.)

SIGNED

DATE
FALSE CLAIMS ACT

• Single physician not provide entire service
• Liability for physician who knowingly presents false or fraudulent claim to federal government
• Up to $11,500 per false claim + damages 3x amount suffered by government
ANTIKICKBACK

- Prohibits inducements to obtain referrals of Medicare patients
- Physician group pays another or hospital pays either physician group
  - Hospital pays Radiologist
  - Cardiologist receives full payment
ANTIKICKBACK- PENALTIES

- Felony
  - Max fine $25,000 and/or
  - Imprisonment up to 5 years
  - Exclusion from federal health care

- Maybe additional civil penalties
ANTIMARKUP

- “Fair market value” for over-reads
STARK LAW

• CT scanner owned by cardiology

• Contracting Radiologist must be considered “physician in group practice”
  • Radiologist reassign right to bill Medicare
STARK PENALTIES

- Denial of payment
- Civil penalties up to $15,000 per referral
  - Up to $100,000 for circumvention scheme
- Exclusion from Medicare participation
TRAINING PROGRAM

• Trainees
  • radiology residents
  • radiology fellows
  • cardiology fellows
TAKE HOME POINTS

• Be as specific as possible when defining program.

• Try to provide single physician interpretation.

• Seek professional legal advise!!
THANK YOU
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No Double Dipping: Legal Implications of Physician Reimbursement for Split Interpretations of Cardiac CT and Coronary CT Angiography Studies by Cynthia Y. Reisz, Esq. and Clevonne M. Jacobs, Esq.