



NAMAS Weekly Auditing & Compliance Tips

March 18, 2016

TCM, CCM, and Clinical Staff Members

When auditing Transitional Care Management (TCM) and Chronic Care Management (CCM) services, you may come into a situation where services are performed by clinical staff members. What constitute as a clinical staff member, and are they allowed to perform such services? What if they are not licensed?

CMS is vague about the definition of a clinical staff member and refers to CPT for guidance. According to the 2016 CPT Manual published by the American Medical Association, a clinical staff member is defined as "persons who work under the supervision of a physician or other qualified health care professions and who is allowed by law, regulation, and facility policy to perform or assist in the performance of a specified professional service, but who does not individually report that professional service". Additionally, TCM and CCM vary in

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their use of this terminology. CCM identifies these employees as clinical staff, while TCM uses the language licensed clinical staff.

Now that we have identified what a clinical staff member is, lets identify what TCM and CCM's requirements are for these individuals performing services.

CCM allows clinical staff to perform services, even without a license as long as the supervising provider feels he/she is able to perform the service. However, if your state requires these certain services to be performed by a licensed individual, then he/she must be licensed. In this scenario where the individual is not licensed, the service would be provided incident-to. **Click here to refer to CMS Guidelines pertaining to Medicare's incident-to rules.**

TCM's requirements are a little different. While they allow unlicensed clinical staff to perform part of the service, they require that he/she must follow incident-to guidelines (i.e. his/her provider must be onsite, no new services, etc.). If they are licensed, the incident-to guidelines do not need to be met. **Click here to refer to a helpful document that defines licensed vs. unlicensed support for TCM.**

As auditors, it is our duty to ensure that services are properly billed, so being aware of requirements like these is imperative to ensuring our precision as auditors. Don't forget that NAMAS offers additional resources to help you navigate the world of auditing. Through our online forum, you can

NAMAS 1 Day E/M Auditing Boot Camp



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Earn 8 AAPC CEU's and cover topics such as medical decision making, grey areas of auditing policies, medical necessity and more!

Upcoming Classes:

Dover, NH: April 6
Instructor: Shannon DeConda

Austin, TX: April 19
Instructor: Shannon DeConda

Little Rock, AR: April 20
Instructor: Shannon DeConda

Ft. Lauderdale, FL: May 17
Instructor: Shannon DeConda

Additional dates and cities scheduled; click the image above for full schedule

Current NAMAS members save \$100 on Boot Camp registration!

post your questions for a response from our team, or respond to questions posted by your peers. Click here to access the forum. If you are a current member, use our Ask an Auditor feature within your members only area to pose your question to the NAMAS team.

Our main goal has always been to be THE resource for training and education for auditors.

This Week's Auditing & Compliance Tip Provided By:

Shannon DeConda, CPC, CPC-I, CEMC, CMSCS, CPMA



Shannon is a Partner with DoctorsManagement, LLC and is also the Founder/President of NAMAS

**A Note From Our Parent Organization:
DoctorsManagement, LLC**

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Our attorneys have established national reputations in the areas of:

- Health Care Law, including: ZPIC, MAC, RAC, and CERT, HIPAA, False Claims, Stark and Anti-Kickback analyses, OSHA, Healthcare corporate transactions, and more
- Regulatory Compliance, including: "Gap" analysis of healthcare practices, compliance training, "mock" audits of

Upcoming Webinars

NAMAS is proud to present the following webinars in March



Preparing For and Responding to Audits and Investigations

Speaker: David Glaser, JD

Tuesday, March 22

2pm EST

Putting Technical Writing Skills to Work in Your Audit Report

Report Speakers: Scott Kraft &

Grant Huang

Tuesday, April 5

2pm EST

Auditing Mental Health Services

Speaker: John Burns

Tuesday, April 12

2pm EST

E/M Encounter Review

Tuesday, April 19

2pm EST

The Ins and Outs of Incident-to-Services

Speaker: Sean Weiss

Tuesday, April 26

2pm EST

claims and services, compliance plan creation, periodic review, and implementation

- Dental Law, including: dental compliance plans, dental compliance training, dental coding and billing, State Board of Dental Examiner representation, and more
- Business & Transactions, namely: mergers and acquisitions, corporate finance, real estate, partnerships and LLC transactions, commercial contracts, and more
- False Claims Act, including: Qui Tam cases, civil false claims act cases, and overpayments

Contact LilesParker for your complimentary initial consultation. To discuss your needs, please call 800-475-1906

NAMAS 8th Annual Auditing & Compliance Conference



8TH ANNUAL
Auditing & Compliance
CONFERENCE 2016

Pre-Conference:

Dec 6 2016

Conference:

December 7-9 2016

Location:

Loews Portofino Bay at Universal Orlando

NAMAS Members: Watch your Email for Registration Links

Non-Members: Email namas@namas.co to learn how to attend these webinars

NAMAS Calendar of Events



Click the image above to view our monthly calendar

Complimentary Tip of the Week

Our weekly auditing & compliance tip emails are available to anyone who could benefit from this information. If you know someone who would like to receive these emails, invite them to sign.

Click the image above to be added to our email list!

Stay Informed



**Conference Agenda Now Available! Click
Here to View**

New for 2016! Attendees can choose between **FOUR Pre-Conference tracks:**
General Auditing, E/M Auditing with Precision Testing, Physician-Based Compliance and Facility-Based Auditing (agenda for facility-based auditing track is coming soon)

Limited Time Offer! Ends 3/31/16

Reserve your spot at conference and receive a 1 year NAMAS Silver membership PLUS complimentary entry to 1 Universal Orlando theme park after 2:00pm on Friday, December 9th (while supplies last).

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