



Annual
MEDICAL LEGAL
Forum
September 25-27, 2018

Mile-High RETAC, Plains to Peak RETAC,
Foothills RETAC and EMSAC

7th Annual Medical Legal Forum

Denver Marriott West
1717 Denver West Boulevard
Golden, Colorado 80401-3144

September 25-27, 2018

Course Descriptions & Learning Objectives

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This is an open forum for medical personnel to raise awareness of the legal liabilities associated with various aspects of patient care, communication, data and billing.

Tuesday, September 25, 2018, EMS Billing

8:35 – 9:30

Understanding the Finances of an Ambulance Service

Scott A. Moore, Esq., EMT
EMS Resource Advisors, LLC, Principal

Course Descriptions:

During this session, attendees will get a review of the basic financial terms and reports utilized in a typical ambulance service. We will discuss common financial metrics, cash flow management, including how to meaningfully quantify expenses to ensure accurate cost data information. We will discuss the important contributions of EMS managers to provide to the organization's overall financial performance.

Tuesday, September 25, 2018, EMS Billing- Continued

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Understanding Basic Financial Terms
- Understanding of Key Financial Reports
- Understanding the Cost of Labor (Even When it is a Volunteer Labor)
- Understanding of Commonly Used Financial Metrics
- Understanding of the Importance of Cash Flow Management
- How EMS Managers can Partner with Financial Leaders to Improve Organizational Performance

9:45 - 10:45

What's Next for EMS Billing, Documentation & Reimbursement

Maggie Adams, BBA

President, EMS Financial Services, Inc.

Course Description:

Our world is ever-changing. There is *rarely* an increase in payments; providers usually face decreased reimbursement. The challenge of maintaining compliance while still meeting our patients' needs and keeping our facility customers is ongoing. Attend this lively session to learn about the trends in billing, compliance and documentation. Using real-life examples, we discuss what's on the horizon and how providers can best cope.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- To learn how to maintain compliance will still meeting patient needs
- To understand basic trends in billing, compliance and documentation

10:45 – 12:00

Revenue Cycle's Role in Financial Strategy

Scott A. Moore, Esq., EMT

Course Description:

During this session, attendees will learn the important role those involved in Revenue Cycle Management (RCM) play in the overall financial strategy of an ambulance service. During this session we will discuss the important billing metrics and key performance indicators that ambulance service managers should be monitoring to be a better strategic partner to the executive leadership team. We will discuss how the

Tuesday, September 25, 2018, EMS Billing

shifting healthcare claims landscape has impacted ambulance services and many are utilizing new tools and implementing process changes in response to changing reimbursement practice.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Understanding the important role of RCM in ambulance service financial health
- Learning the key performance indicators that drive RCM performance
- Understand the impact of today's insurance reimbursement practices
- Learn about new tools and strategies to respond to the changing landscape

12:30 – 2:30

Financial Modeling and Alternate Payment Models for EMS

Matt Zavadsky MS-HSA, NREMT

MedStar Mobile Healthcare, Chief Strategic Integration Officer

Course Description:

As EMS moves further into alternative delivery and economic models, many EMS agencies struggle with determining their actual cost and value of service delivery, especially models that have a multi-role function, such as EMS-based fire agencies. This session will walk agency leaders through several ways to determine service delivery costs, and the development of alternate payment models (APMs) for the services they could provide (community paramedicine, ambulance transport alternatives, etc.).

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Understand ways to identify and account for costs of service delivery such as cost per year, cost per hour, cost per response and cost per transport
- Learn ways to evaluate agency revenues and payer mix to better align service delivery costs and revenues
- Learn three ways to operate alternate payment models (APMs) for both traditional and new EMS service models

Tuesday, September 25, 2018, EMS Billing

2:45 – 3:45

Mandated Federal Cost Collection for Ambulance Service

Maria Bianchi, CAE, MA Ed

American Ambulance Association Executive Vice President

Course Description:

A basic overview of how your service should begin to set up systems to complete federal cost collection survey. Session will include the fundamental revenue and expenditure accounts, business system and potential changes to reimbursement which can result if cost surveys are completed accurately.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Understand distribution and review of standardization of terms
- Understand the initial discussion of demographic information, basic cost collection accounting

3:45 – 4:45

Resolving Self-Pay and Managing Patients

Maggie Adams, BBA

Course Description:

This lively session presents step-by-step actions you can take to better manage incoming patient calls. We describe proven ways to negotiate with patients, diffuse difficult calls and resolve self-pay accounts. We also discuss how to work with patients who experience financial hardship or need additional time to make payments or resolve insurance issues. Attendees are encouraged to bring examples of the problems they have faced when dealing with patient callers.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Understand how to better manage incoming patient calls
- Understand how to work with patient's self-pay billing issues
- Understand how to resolve insurance issues

Wednesday, September 26, 2018, Medical Legal

8:35 - 9:45

Emerging Legal Issues

Matthew Streger, Esq., MPA, NRP
Attorney at Law, Keavney & Streger, LLC

Course Description:

The landscape of legal issues facing EMS agencies, and healthcare agencies, is constantly evolving. This rapid-fire lecture will review current and emerging legal issues, such as False Claims / Anti-Kickback enforcement, HIPAA enforcement, use of body cameras, sleep deprivation and shift work, trans workplace issue, job descriptions and functional performance, and supervisory failures.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Understand the nature of the emerging legal issues
- Understand the legal framework for each issue
- Understand self-protection best-practices based on each issue

9:45 – 10:00

Colorado and National Legislative Update

Timothy J. Dienst, MPA, NRP
Ute Pass Regional Ambulance District, CEO

Course Description:

The primary objectives of this session are to raise participant awareness of recent EMS Colorado legislative successes that the Emergency Medical Services Association of Colorado (EMSAC) has either sponsored, supported or opposed.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Discuss how EMS political influence has been enhanced at the State Capitol through improved lobbying and advocacy efforts, consistent presence and participation in legislative activities
- Present information regarding the newly appointed Medicaid Rate Review Committee and review the Field EMS Modernization and Innovation Act (H.R. 2366), a bill that was reintroduced into the U.S. Congress by Representative Larry Bucshon (R-IN)
- Provide a presentation of potential future EMSAC legislative initiatives, the importance of your participation, and discuss your ideas for future legislative initiatives for EMSAC consideration

Wednesday, September 26, 2018, Medical Legal- Continued

10:15– 11: 15

Supervising Former Peers

Matthew Streger, Esq., MPA, NRP

Course Description:

EMS Supervisors and managers are frequently promoted from staff positions within their organization but are often not trained or prepared for these new roles. One of the most difficult parts of this transition is when people are asked to supervise former peers. Given the nature of interpersonal dynamics in EMS, this is an especially significant challenge. This lecture will review numerous areas where these conflicts exist and provide best-practices for how to prevent problems from occurring and respond to any issues that do arise.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Review best-practices fore supervising former peers
- Understand critical failure points in transitioning from staff to supervisor.

11:15 – 12:00

Two Wrongs Don't Make A Right: Preventing Cognitive Bias in Error Investigation

Brian Behn, BA, NR-P, FP-C

Chaffee County EMS, Paramedic Supervisor & QA Manager

Course Description:

Geared towards those who investigate incidents, error and medical mistakes but appropriate for all EMS providers, this session will explore common cognitive errors that can derail an investigation. Topics include the danger of fundamental attribution errors, avoiding premature closure, how the narrative fallacy can lead to wrong conclusions, being blinded with the hindsight bias and the risks of employing an outcome bias in your agency.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Define common cognitive biases that may negatively impact an investigation
- Identify cognitive biases in their own practices
- Explain how an outcome bias is a dangerous operational model to practice
- Recognize when a hindsight bias is being employed

Wednesday, September 26, 2018, Medical Legal- Continued

12:30 – 2:00

CMS EMTALA Enforcement and Review, 2018

Richard Wild, MD, JD, MBA, FACEP

Chief Medical Officer, Atlanta Regional Office Centers for Medicare and Medicaid Services (CMS) Sam Nunn Atlanta Federal Center

Course Description:

CMS EMTALA Regulations and Enforcement: As CMS Regional Chief Medical officer, the speaker is involved in the adjudication of EMTALA complaints and is a designated spokesperson for CMS. Dr Wild will give an initial didactic presentation and review of EMTALA basics with a focus on inter hospital transfers and trauma centers.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Have a better knowledge and understanding of the CMS EMTALA Regulations and enforcement process
- Apply EMTALA principles to their own institutions and policies and use that knowledge to avoid EMTALA violations and to improve access to better quality emergency medical care

2:00 – 3:00

False Claims Act Update

Matthew Streger

Course Description:

The federal False Claims Act, and its various state equivalents, are the big “stick” that keeps most ambulance providers up at night. The threat of civil and/or criminal prosecution, fines and other penalties drives the documentation, billing, compliance and legal activities of any department that bills for services. This lecture will use real-world examples of how these cases originate, are filed, progress and are formalized. Most important, attendees will learn lessons from an attorney who has brought and defended False Claims Act cases regarding how to improve documentation, compliance efforts and related self-protective activity.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Understand legal framework of the FCA and AKS
- Understand structure and function of qui tam fraud lawsuits
- Develop self-protection mechanisms for organizational compliance

Wednesday, September 26, 2018, Medical Legal- Continued

3:15- 4:45

Dispositioning Mental Health Patients

Ezekiel Peters

Thom Dunn

Nicolena Johnson

Dave Mitchell

Course Description:

Learning Objectives:

Upon completion of this program, the attendees will be able to:

Thursday, September 27, 2018, Data

8:35 - 9:00

What Agencies are Doing Across the State

William J. Clark, NRP
*Regional EMS Coordinator
Foothills and Mile-High RETAC
Regional Medical Direction Program*

Course Description:

A quick view of what agencies and facilities are doing across the state with EMS data and patient care reporting systems.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Discuss what agencies are accomplishing in electronic patient care reporting
- Discuss the integration/sharing of the data

9:00 – 10:00

EMS and Trauma Data Projects

Amber Viitanen, MPH
*Emergency Medical and Trauma Services (EMTS)
Data Section Manager
Colorado Department of Public Health and Environment (CDPHE)*

Martin Duffy, RN, BSN
*EMTS, Trauma System Specialist
CDPHE*

Course Description:

This session will provide a brief overview of the EMS and Trauma data housed at CDPHE, as well as a look at some of the work being done by the data team to help agencies, facilities, organizations and institutions analyze their data for QA/QI purposes.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Review data confidentiality rules and statues that apply to EMS and Trauma Data
- Describe what EMS and Trauma data is collected and stored at CDPHE
- Explore the capabilities of these data through examples of previous data projects

Thursday, September 27, 2018, Data- Continued

10:15 – 11:15

Making Meaningful Improvements Using Data

Mike Taigman, MA

*FirstWatch, Improvement Guide and Associate
Professor University of Maryland Baltimore County (UMBC)*

Course Description:

Every EMS organization in America has some kind of quality improvement function. Yet, if you visit them and what they have actually made better they look like a deer in the headlights. During this session you'll learn a framework that's used by healthcare organizations worldwide to improve the things that matter.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Participants will be able to describe the Institute for Healthcare Improvement's Model for Improvement
- Participants will understand the importance of a clear AIM before beginning an improvement project
- Participants will understand the difference between outcome, process, and balancing measures
- Participants will understand how to differentiate special from common cause variation in their data

11:15 – 12:00

Implementing a Comprehensive Compliance Program: "Can You Afford Not To"

Hanan Cohen, EMT-P, CP, CACO, CAPO

Empress EMS, Director of Corporate Development/ MIH-CP

Course Description:

Implementing a comprehensive Compliance Program: "Can You Afford Not To" exams the challenges, pit-falls and past practices that have slowed or impeded an agencies adoption of a true Compliance Program. The course will demonstrate the risk-benefit analysis and costs to improve compliance saves money, reputation and services.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

Thursday, September 27, 2018, Data- Continued

- Provide a real-world overview of the complexities and challenges of implementing a compliance plan from the ground up in a large EMS service
- Offer tips, advice and solutions to get a program started or improved

12:30 – 1:30

EMS and Health Information Exchange: Blazing New Data Trails in Colorado

Robert Denson

Chief Information Officer

Colorado Health Information Organization (CORHIO)

Danielle Cote

Senior Project Manager/Team Lead, ZOLL Data

Course Description:

Learn how a regional health information exchange partnered with a major ambulance agency and an electronic patient care record company to enable EMS data integration into a community health record, alongside hospital data, and what this means globally for EMS and patients.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Understand the difference between ambulatory data, hospital data and EMS data, in terms of meaningful health information exchange
- Discuss the importance of EMS data being viewable by other providers in the care continuum
- Recognize the value of EMS agencies being able to view post-trip care summaries to be used for quality improvement training
- Understand the challenges and processes in submitting EMS data into hospital systems to provide accurate patient matching and hospital routing
- Learn how a health information exchange can assist hospitals with their JCAHO Accreditation

1:30 – 2:30

Implementing Compliance Program in NYC -Using MIH-CP Specific Technology to Improve Outcomes

Hanan Cohen

Thursday, September 27, 2018, Data- Continued

Course Description:

This course compares patient outcomes, hard costs and downstream savings between widely used EMS documentation systems and patient centered MIH platforms using cohort specific care plans. Ultimately increasing MIH value and population health. Comparisons are based on side-by-side Compliance Program Pilot Projects using two methodologies.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Provide a comparison of outcomes, costs and data from traditional EMS documentation platforms vs. a MIH specific platform to more appropriately address the needs of out of hospital post-acute care coordination, collaboration and integration

2:45- 3:45

Why Data Matters (It's A Good Time to Be A Geek in the EMS Business)

Jonathan S. Feit, MBA, MA

Co-Founder & Chief Executive, Beyond Lucid

Course Description:

Since before 2013 (when NEMSIS v3 was officially adopted), EMS agencies nationwide have faced an “unfunded mandate” to comply with complex data rules, but they have never been given an explanation for why they matter. For example: Did you know that EMS provided the basis for the Affordable Care Act? The federal government has a “master plan” that involves connecting the care continuum for nationwide data transparency (i.e., I’m from NYC but I got injured in San Francisco, and care providers know who I am). But they have not communicated this vision to the stakeholders. NEMSIS v3 is in fact vital to the plan, so we will explore the Big Picture and provide context that underscores the criticality of EMS data.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Understand how EMS impacted the Affordable Care Act
- Understand the importance of data to the Big Picture

Thursday, September 27, 2018, Data- Continued

3:45 – 4:45

EMS Agenda 2050: Envision the Future

Mike Taigman, MA

Course Description:

In 2050, EMS systems are people- centered. A people centered EMS system includes processes, protocols, technology, policies and practices designed to provide the best possible outcome for individuals and communities—every day and during major disasters. EMS is a versatile and mobile community healthcare resource, integral to regional systems of care that prevent and treat acute illness and injury, as well as chronic ailments.

The people- centered EMS system serves as the front line of a region’s healthcare system and plays a core role in supporting the well-being of community residents and visitors through data-driven, evidence-based and safe approaches to prevention, response and clinical care. EMS organizations collaborate with their community partners and have access to the resources they need, including up-to-date technology and a highly trained, healthy workforce.

Learning Objectives:

Upon completion of this program, the attendees will be able to:

- Identify key components of a people-centered EMS system
- Identify how the new system will focus on the needs of all persons; patients, families, caregivers and the broader community

Thank You for attending this year!

See you next year

September 24-26, 2019