Report Cards & Reputational Incentives

- Why fewer providers?
- Medicare covers health services that are “reasonable and necessary.”
- “In reality, many new procedures are paid for even with no persuasive evidence of benefit.”
- For example: Cardiac CT angiogram

Report Cards & Reputational Incentives

- CMS wants to provide reimbursement in such a way that it can “avoid unnecessary costs.”

- Accordingly CMS will likely increase the scope of its provider report cards.

Report Cards & Reputational Incentives

- Reason: over utilization of health care
- Bureaucrats have a hard time determining medical necessity
- Report cards make MDs think twice
- A “kill them all” approach to health care spending

http://www.cgmh.org.tw/intr/intr5/c6700/N%20teaching/Postpartum%20hysterectomy5.jpg
Report Cards & Reputational Incentives

- Me, paranoid?

- Ken Kizer’s Comment

- IOM:
  - “remove” MDs who do not play be the rule
  - (“Re-education” may be offered to some)

Report Cards & Reputational Incentives

- Secondary RIs
- Reversal of the brain drain
  - German MD model
  - Paradoxically US-MDs forced from the market may tx American patients
    - Medical tourism
    - Telemedicine

Report Cards & Reputational Incentives

- Secondary RIs
  - Someone is to blame
  - Misclassification of services occurs frequently; no plans to audit data
  - RI will lead to “gaming” lawsuit: Allege that economic competitors “cooked the books”


http://stanleybronstein.com/blog/blame.jpg
Report Cards & Reputational Incentives

- Secondary RIs
  - Legitimate lawsuit?
  - Still legal and political pressure many require audits
  - Traditional audits
    - could be expensive
    - Increase fear?
Report Cards & Reputational Incentives

- Better living though technology
- EMR as a Trojan house
  - The narrative tells the tale the provider you to hear
  - The metadata tells you the truth

Report Cards & Reputational Incentives

EMR System Metadata

- Automatic & Necessary for EMR function

- Examples

  UPINs (digital fingerprints)

  Time-signature (time & motion studies)

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EMR Application Metadata

- Audit trail of user modification
- Limited storage: cost v other safeguards

Sedona Conference: Commentary on ESI Evidence and Admissibility, March 2008; URL available on request
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Metadata is searchable

What's hiding in your board room? Would you believe a $30 eavesdropping device bought off of Ebay?

See the large spike? That is what we found. The $73 million dollar deal was by the way, secured.

http://www.googleguide.com/images/googleAdvSearch.gif
http://www.specialsol.com/tscmbanner.jpg
Report Cards & Reputational Incentives

- “Voluntary” RI integrity audits
  - Condition of payment
    - Access to EMR & EMR metadata
    - Sampling paradigm
  - A future driver of False Claims actions?
Report Cards & Reputational Incentives

- Summary:
  - Report Cards create RIs
  - RIs
    - do change provider behavior
    - Potentially fewer providers in the market
    - Increase fear?
Report Cards & Reputational Incentives

- Longview of RIs

- “Do we really want doctors who are motivated by wall plaques announcing their score on some ‘quality improvement’ initiative?”

Report Cards & Reputational Incentives

- Longview of RIs

- Report cards “that rate doctors against one and other, [and will make them] increasingly dependent on quality improvement goals and payments while distracting them from patient care.”

- What would Marcus Welbe, MD do?

http://www.tv-nostalgie.de/Sound/MarcusWelby4.jpg
Report Cards & Reputational Incentives

- NEJM Editorial’s Bottom line:
  - “Public report cards are not going away.”
  - Neither are RIs

Thank you for listening