



ACA Reporting

Employers with 50 or more full time employees in 2014 are required to complete and file IRS Forms 1094-C and 1095-C in 2015 to comply with ACA provisions. The filing requirements are based on the employer's health plan and the number of employees. Employers are required to provide a copy of the information to eligible employees by February 1, 2016, with subsequent reporting to the IRS.

If you are a payroll client, HCI-EBS will be sending you an information request form to collect the necessary data. Please respond in a timely manner to allow for the completion of the IRS forms.

CMS Clarifies "Incident to" Policy

The Proposed Rule for the 2016 Physician Fee Schedule contained changes to the regulations governing the provision of "incident to" services. In particular the policy was clarified to state that the physician or other practitioner who bills for incident to services must also be the physician or other practitioner who directly supervises the auxiliary personnel who provide the incident to services. Hence, these services should not be billed under the physician who initially developed the treatment plan for the patient unless that physician was also the supervising physician.

In addition, the Proposed Rule reiterated that auxiliary personnel who perform the incident to service must not have been excluded from Medicare, Medicaid, or any other federally funded health care programs nor had their enrollment revoked for any reason. If so, those individuals are prohibited from providing services to Medicare beneficiaries including any incident to services.

If you have questions, please contact your consultant or you can reach Bryan Burke at bburke@hci-eps.com or 1-800-572-5275.

Social Media Policy

With the advent of the internet the ability to access information quickly and communicate more readily has exploded. More recently social media sites have provided another vehicle whereby individuals can express themselves, share experiences, and discuss situations which formerly they were only able to do by word of mouth.

While these new social media platforms provide a venue for immediate feed back across a wide range of users as well as almost limitless marketing opportunities, it is not without its perils. With all of the freedom of expression that is provided via social media, there is also the danger of sharing information inappropriately, misrepresenting an organization's position, or permanently damaging an organization's image or reputation.

An employee handbook is a tool that many organizations use to communicate a company's policies and procedures and to remind employees of their responsibilities to their employer. A social media policy can be a good addition to this document. It can provide the employer an opportunity to establish expectations for employees in the use of personal electronic devices as well as outline any prohibited social media content.

A well crafted social media policy should include the following elements:

- 1) a definition of social media and examples of current popular social media sites,

- 2) a statement of who in the organization can access social media from the work place and any restrictions on the use of office equipment,
- 3) a description of what type of information employees are allowed to post and what type of information is prohibited,
- 4) an emphasis that patient privacy is absolute and that there are serious penalties for HIPAA violations,
- 5) a statement that employees are responsible for maintaining a professional image not only for themselves, but also for the practice and the providers,
- 6) a statement that harassment and discriminatory conduct are not tolerated under any circumstances,
- 7) a statement of the consequences for non-compliance with the social media policy.

The National Labor Relations Act contains a provision that employees have a right to engage in certain "concerted activities for the purpose of collective bargaining." In constructing your social media policy it is important to provide a balance between an employee's right to free speech and ability to engage in collective bargaining activities with the employer's expectation that employees will conduct themselves at all times in a professional manner using reason

able judgment to protect the confidential information and reputation of the practice.

Any social media policy you develop should mesh with other practice policies already in place. For example, your handbook may already have a communications policy, a general conduct policy, or a mobile device policy. This social media policy should complement and support the existing policies of the practice.

In order to create and maintain an open and transparent environment, it is advisable to designate a spokesperson that can be available to the staff to respond to any questions they may have regarding the social media policy.

Please contact your consultant if you would like to consider adding a social media policy to your employee handbook.

*If you have any questions or want additional information, please contact your consultant: Will Hunter at whunter@hci-eps.com
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