

# Philadelphia Medicine



Volume 101, No. 2

February 2005

## New data on region's health released

The 2004 Philadelphia Management Corporation's telephone survey of 10,000 Southeastern Pennsylvania households shows that:

- 20.9% of SEPA adults—more than half a million—report having a chronic condition such as asthma, diabetes, high blood pressure, cholesterol, heart disease, cancer, or allergies.
- 12.0% of adults 18+ and 17.7% of children ages 0-17 have been diagnosed with asthma.
- 6.3% of adults 18-64 and 19.1% of seniors have been diagnosed with diabetes.
- 12.2% of adults 18-64 and 34.1% of seniors 65+ report having a sensory or physical disability. 53.1% of seniors living in poverty report having a disability, compared to 33.2% of seniors who are not poor.
- 8.3% of seniors have experienced a stroke. 9.6% of seniors who are male have had a stroke, compared to 7.4% of elderly women.
- Lack of insurance continues to keep patients from seeking care in SEPA.
- 37.7% of uninsured adults 18+ did not seek care in the past year due to cost concerns, compared to 6.9% of insured patients.
- 35.3% of uninsured adults 18+ did not fill prescriptions in the past year due to cost concerns, compared to 11.8% of insured patients.
- Fewer adults received preventive care in 2004 than in previous years.
- In 2004, 36.5% of men ages 50 and over failed to receive a prostate screening, up from 30.2% in 2002 and 26.0% in 2000.
- In 2004, 33.0% of women ages 18 and up failed to receive a PAP smear, up from 30.3% in 2002 and 27.3% in 2000.
- In 2004, 35.4% of women ages 40 and over failed to receive a mammogram, up from 32.9% in 2002 and 31.4% in 2000.
- A majority of adults 18-64 (57.1%) are obese or overweight, and a majority of children ages 6-11 (50.4%) are at risk for obesity.
- 51.4% of adults 18-64 eat two or fewer servings of fruits/vegetables per day.
- 45.1% of adults 18-64 engaged in physical activity fewer than 3 times per week.
- One in ten adults 18-64 ate fast food 3 or more times per week.
- 29.2% of adults 18-64 have to travel outside their neighborhood to go to a supermarket.

## PCMS News

### Patient safety CME topics

The State Board of Medicine approved a list of CME topics for the patient safety/risk reduction licensure requirements of Act 13. The State Society was instrumental in assembling the list of topics. CME credit hours can be applied toward this requirement if they fall under the following topics:

### Mortality/morbidity conferences

- Improving communication among physicians and with other health care personnel
- Communication between physicians and patients
- Medical team building
- Human error factors
- Theory of error reduction
- Medical error identification/avoidance strategies
- Technology and information systems to improve practice
- Preventive medicine education
- Improving medical records systems
- Evidence-based care (Includes programs such as teaching techniques of documented medical efficacy or avoiding commonly used interventions that are not beneficial as documented by outcome studies)
- Patient health monitoring methodologies
- Healthcare quality improvement
- Medication safety

For more information, contact Marcia Martin at PMS on 800-223-7823.

## AMA applauds medical liability reform

"The American Medical Association applauds President Bush for his leadership and steadfast support of America's patients and physicians in the effort to enact common-sense medical liability reforms to protect patients' access to care," said John C. Nelson, MD, AMA president,

He added: "The AMA strongly supports proven reforms, including a reasonable limit on noneconomic damages, that allow patients access to the courtroom without sacrificing Americans' access to medical care. Medical liability reform is the AMA's top legislative priority."



# Philadelphia Medicine



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ISSN 0031-7306

**Philadelphia Medicine is an editorial project management service of Healthcare Media International, Inc. (HMI).**

**HMI publishes periodicals on medical communications, management, and managed care, and provides contract publishing and medical communication consulting services.**

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## Editorial

# How physicians can bring their talents and caring to disaster relief

Many of our physicians and their patients had just celebrated Hanukkah, and while many were celebrating the Christmas and New Year holidays, thousands of people, in another part of the world and from other cultures, were living and dying in a natural disaster. A magnitude 9.0 earthquake on December 26, off the west coast of Northern Sumatra, Indonesia, triggered massive tsunamis that affected several countries throughout South and Southeast Asia, as well as Somalia, Tanzania, and Kenya in East Africa. Aftershocks from the earthquake continued to occur in the region through January 1, when a magnitude 6.5 earthquake occurred off the west coast of Northern Sumatra. We estimate deaths and injuries in thousands and damages in millions but will never know the real cost. We are grateful for the peace and comfort of our own holidays.

We are physicians. Despite our peace and comfort, we have the urge to go there and care for the people. It is what we do. And over there we could do it without administrators and government bureaucrats telling us how to practice medicine. We could do it without plaintiff attorneys and "expert" witnesses second guessing every unfortunate bad result of an appropriate decision. And the patients would appreciate us, thank us, and yes even respect us. It would be nice to be respected again.

Regretfully, and unfortunately for them and for most of us, going there is not a real option. We honor and thank those physicians who put others before themselves and volunteered. We are indebted to them for the honor they have brought to the medical profession and to our country.

Like other Americans, many physicians have been seeking a more practical way to help. Relief organizations

advise that the needs are so specific that in-kind contributions, such as surplus materials available from physician practices, will be of little use. Financial contributions are the most practical. There are many worthy organizations to which one can contribute. We encourage you to contribute generously to the one of your choice.

Although many of these organizations have solicited directly and have been reported through the media and thus may be easy to identify, some

*The Philadelphia County Medical Society Educational and Scientific Trust can serve as a conduit for financial contributions. Contributions to the Trust are tax deductible. The Trust will send 100% of funds donated through it to designated relief charities*

physicians may still feel uncomfortable contributing to them. The Philadelphia County Medical Society Educational and Scientific Trust can serve as a conduit for financial contributions for those physicians. Contributions to the Trust are tax deductible. The Trust will send 100% of funds donated through it to designated relief charities and will send you an acknowledgment of your tax-deductible contribution. Make your check payable to "PCMS Educational and Scientific Trust" and mail it to PCMS headquarters.

Happy Hanukkah, Merry Christmas and Happy New Year are words spoken too often without real meaning and conviction. Let us be grateful for the ones we have had and let us really mean it for others, especially those we love.

*PCMS Editorial Board*

The PCMS website accepts typical classified ads. We also advertise upcoming events, such as CME programs and seminars.

Call 215-563-5343, ext. 102 for more information.

### Change of address?

Phone 215-563-5343, Ext. 102 with any change of address, phone, fax number or e-mail address.

## Medical records reproduction fee schedule for 2005

The Pennsylvania Medical Society receives a significant number of inquiries from physicians and their office staff about medical record copying fees. While physicians have not traditionally sought to make a profit on providing medical records, they have sought to recover their costs, particularly when a medical record is substantial.

Patients may request a copy of their records for their own use. It is important to note that the medical record for a patient is defined by state regulation as, all "clinical information pertaining to the patient which has been accumulated by the physician, either by himself or through his agents." This includes diagnostic test results, x-rays, physician notes, and any records from prior treating or consulting physicians. The following charge list does not apply to an X-ray or any other portion of a medical record which is not susceptible to photostatic reproduction.

The Department of Health and Human Services has stated that, under HIPAA, medical record copying fees for patients may not include costs associated with searching for and retrieving the medical record. For attorney and insurance company requests you may charge the Act 26 fees, including the search and retrieval fee. To determine your cost for copying and mailing medical records for patient requests under HIPAA, you should consider the following.

- Salary and benefits of the person who does the copying. Include all steps of the process, i.e., verifying validity of authorization, pulling the chart, reviewing the record, removing the records, copying, preparation

for mailing, re-assembling the chart, and re-filing the chart.

- Cost of the supplies, i.e., paper, toner envelopes, etc.
- Cost of equipment i.e., prorated lease or depreciation expense.

In addition to the amounts listed, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records. Neither Act 26 nor HIPAA mandates that charges be assessed for copies of medical records. It merely sets the maximum fees that can be charged.

If a district attorney requests a medical record for an action or proceeding, a flat fee of \$17.48 may be charged. No independent or executive agency of the Commonwealth is required to pay any costs associated to medical charts or records unless required by law. "At this time, Workers Compensation (utilization review) and Auto (peer review) pay \$.12 per page, plus actual mailing costs (scope of release is limited to the treatment for which reimbursement is sought). Attorney requests for Workers' Compensation and Auto treatment records are not subject to the \$.12 limitation. In the instance of Medicare and Medicaid, the record must be forwarded without charge. If the medical record is requested for the purpose of supporting a claim or appeal under the Social Security Act, a flat fee of \$22.15 plus postage may be charged (the attorney should be able to supply a copy of the *Appointment of Representative* from the Social Security Administration). Note: Some insurer contracts may require the physician to forward patient records to another physician within a network at no charge.

	ACT 26	HIPAA	Charge to patient
Retrieval Fee	\$17.48	\$0	\$0
Pages 1-20	\$1.17/page	Cost of copying & mailing	Cost up to \$1.17/page
Pages 21-60	\$.88/page	Cost of copying & mailing	Cost up to \$.88/page
Pages 61+	\$.30/page	Cost of copying & mailing	Cost up to \$.30/page

## Crash Course: Auto accident reimbursement

### Part 2 of a 3-part series Billing the patient

To bill a patient who does not have health insurance for the portion of services not paid by the auto insurer, use the following calculation: Assume the insured's policy limits are \$5,000. The physician's bills total \$10,000. Under the Medicare fee allowance the \$10,000 would be valued at \$6,000. To determine the worth of the \$5,000 of the first party benefits under the Medicare fee allowance, take the \$5,000 and divide by \$6,000 ( $5,000/6,000=.833333$ ) then multiply by the total bill ( $.833333 \times 10,000=8,333$ ). The insured may be billed \$1,667 or \$10,000 minus the \$8,333 for the remaining services not paid under the insurance policy.

If the patient has another insurance policy or health insurance, the physician may bill that insurer for the actual worth of remaining services not paid. That insurer will determine the appropriate amount of payment to the physician under the terms of the insured's health or other insurance policy without regard to the medical cost containment provisions of Act 6.

If no portion of the physician's bill is payable under the patient's car insurance the Medicare payment limitations do not apply. A physician may directly bill the insured or other insurance carrier. If the physician decides to wait until the patient's litigation arising out of the car accident has been settled or awarded, the Act 6 Medicare payment limitations will apply. The reasoning behind this comes from a court decision that if the money comes from an auto insurance carrier, in any way, shape or form, the Act 6 limitations will apply. *Pittsburgh Neurosurgery Associates, Inc. v. Danner, 733 A.2d 1279 (Pa. Super. 1999).*

**IMPORTANT NOTE.** If the physician decides to wait for a patient's automobile accident lawsuit to finalize, it is prudent to get a lien against the settlement or award with the patient's attorney.

Part 3, "Complaint process," will appear in the March issue of *Philadelphia Medicine*.

## pcms people

### 2005 PCMS Awards Program

The Philadelphia County Medical Society requests your nominations for the following Awards:

- **Strittmatter Award**—Since 1923, the Strittmatter Award is regarded as being the most prestigious of PCMS. Presented to a physician who has demonstrated to the Society the most valuable contributions to the healing art, surgical or medical.

*Requirement:* Your letter of nomination should include the candidate's current cv.

- **Cristol Award**—Presented to a PCMS member who has made valuable contributions to the Society.

*Requirement:* The letter of nomination should also include the candidate's activities in the Society.

- **Practitioner of the Year Award**—Presented to a PCMS member for excellence in patient care and community service.

*Requirement:* The letter of nomination, a current cv and should include examples of community service.

Please submit your nominating letter(s) along with the candidate's appropriate background information by March 1, 2005.

Mail: Award Chair, PCMS, 2100 Spring Garden St., Philadelphia, PA 19130;  
Fax: 215-563-3627;  
E-mail: eryl@philamedsoc.org.  
For information, 215-563-5343, Ext. 113.

### PCMS people wanted!

Your colleagues would like to know what you're up to. Send news about academic or other appointments, achievements, awards, promotions, etc. to:

Philadelphia Medicine  
2100 Spring Garden Street  
Philadelphia, PA 19130

### Host your event at PCMS!

Host your next party or conference/seminar at PCMS headquarters. Ample free parking. Contact Louise Eder on 215-563-5343, Ext. 107 to schedule an appointment.

The following have contributed to the **Philadelphia County Medical Society Educational and Scientific Trust Fund**. The Society expresses its appreciation for this generosity.

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