



Rick Shacket, DO, MD(H)
8 Biltmore Estates – Unit 201
Phoenix, Arizona 85016
Office (602) 492-9919
Mobile (602) 920-1023

May 16, 2016

Jay Cummings - Investigator
Blue Cross of Arizona
PO Box 2924
Phoenix, AZ 85015-2924

RE: Corrective Action Plan (CAP)
For Rick Shacket, Medical Director for Medwell LLC, DBA Pain Associates of
Gilbert

Dear Mr. Cummings,

As a result of your recent investigation which pointed out several areas within our practice that could be improved upon, we respectfully submit the attached CAP to address these concerns.

We take your concerns seriously. If you have any questions, I can be reached at 602-492-9919.

Sincerely,

Rick Shacket, DO, MD(H)
Rick Shacket, DO, MD(H)
RS/bw
Encl.

Corrective Action Plan (CAP)

Dated May 16, 2016

Dr. Rick Shacket/Medwell, LLC dba Pain Associates of Gilbert and Blue Cross of Arizona

ITEM #1

ITEM ADDRESSED: Illegible/Missing signatures

PLAN TO REMEDY: Step 1 - Revise all documentation templates to provide space for
the signature of the person providing services
the credentials of the person providing services
the printed name of the person providing services.

Step 2 - Send memo to all staff regarding new signature requirements.

Sample of memo: Y:\Shacket\Credentialing\ShacketSignatureMemov2.docx

WHO IS RESPONSIBLE: Dr. Shacket to modify documentation templates. Practice Administrator to assure compliance

IN THE MEAN TIME...: Until the documentation can be revised and replaced use the old forms.

WHEN WILL THIS ITEM BE COMPLETED: 3 weeks from acceptance of CAP



Rick Shacket, DO, MD(H)
8 Biltmore Estates, Unit 201
Phoenix, Arizona 85016
Office (602) 492-9919
Mobile (602) 920-1023

M E M O

May 10, 2016

Attention all staff of Medwell LLC DBA Pain Associates of Gilbert :

Effective immediately;

All documentation that is "signed off", particularly documentation of services rendered are to contain full signature of the person providing services credentials (i.e., PA-C, LMT, CNA, MA, etc.) of the person providing services. printed name of the person providing services

Initials are no longer acceptable.

.If there are any questions or concerns regarding this change of policy, please contact me directly.

Sincerely,

Rick Shacket, DO, MD(H)

Rick Shacket, DO, MD(H)

RS/bw

Corrective Action Plan (CAP)

Dated May 16, 2016

Dr. Rick Shacket/Medwell, LLC dba Pain Associates of Gilbert and Blue Cross of Arizona

ITEM#2

ITEM ADDRESSED: Missing credentials/qualifications of person(s) providing services

PLAN TO REMEDY: Dr. Shackett will hold "in-services" for all persons performing medical services. This training will instruct the persons performing medical services as to the proper methods and techniques required to perform the services. (i.e., physiotherapy modalities, injections, etc.) Upon completion of the in-service, each individual that satisfactorily completes the in-service will receive a certification

Sample certificate: Y:\Shacket\Credentialing\shacketCertofCompletion.docx

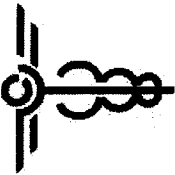
A copy of the certification should be placed in the respective employee's "permanent record" and be available to anyone requesting validation that the employee is capable of performing the services described on the certificate.

New hires should receive training and certification prior to performing any services which are not specifically mentioned in the Arizona Revised Statutes and/or the rules associated with their credentials.

WHO IS RESPONSIBLE: Dr. Shacket

IN THE MEAN TIME...All individuals currently performing services have already been deemed as capable. The Certificate of Completion is primarily a formality. No immediate changes to policies and procedures is necessary.

WHEN WILL THIS ITEM BE COMPLETED: 60 days from acceptance of the CAP. Additional time may be required to accomplish this item to accommodate employee vacations and/or absenteeism on training day



Rick Shackel, DO, MD(H)
8 Biltmore Estates, Unit 201
Phoenix, Arizona 85016
Office (602) 492-9919
Mobile (602) 920-1023

CERTIFICATE OF COMPLETION

NAME & CREDENTIALS

DOB

**HAS BEEN TRAINED, OBSERVED AND DEEMED QUALIFIED
AND CAPABLE OF PERFORMING:**

SIGNATURE & CREDENTIALS OF CERTIFYING INDIVIDUAL

DATE OF COMPLETION

Corrective Action Plan (CAP)

Dated May 16, 2016

Dr. Rick Shacket/Medwell, LLC dba Pain Associates of Gilbert and Blue Cross of Arizona

ITEM #3

ITEM ADDRESSED: **Physiotherapy services are poorly documented**

PLAN TO REMEDY: Revise documentation templates for physiotherapy to include (as applicable):

Signature and credentials of the person monitoring/overseeing physiotherapy.

A statement as to what exercises were completed and how they were tolerated.

Re-evaluations are to be performed after 12 visits or each month (whichever comes first).

Manual therapy documentation to have area(s) treated, technique to be utilized, along with pain description and rating.

Note: Failure to show any improvement as noted in the monthly Therapy Progress Note is justification for discontinuing further physiotherapy

New injuries are to be specifically noted in the documentation

WHO IS RESPONSIBLE: Dr. Shacket

IN THE MEAN TIME... Since physiotherapy services are indeed being performed as billed, the change in documentation is simply an attempt to more clearly conform to accepted standards of documentation.

WHEN WILL THIS ITEM BE COMPLETED: 3 weeks after acceptance of the CAP

Corrective Action Plan (CAP)

Dated May 16, 2016

Dr. Rick Shacket/Medwell, LLC dba Pain Associates of Gilbert and Blue Cross of Arizona

ITEM #4

ITEM ADDRESSED: Too many TPIs (too many encounters where a patient receives TPIs)

PLAN TO REMEDY: Change of protocol: The medical necessity of going beyond 12 TPIs must be specifically addressed and documented in the progress note.

The benefit expected from continuation of TPIs must be noted in the Therapy Progress Note at each monthly evaluation. Re-evaluations are to be performed after 12 visits or each month (whichever comes first). Potential benefits include (but are not necessarily limited to):

- 1.) An expected decrease in pain level. Note: Failure to show any improvement in pain and range of motion is justification for discontinuing further TPIs
- 2.) Improved musculoskeletal range of motion

New injuries are to be specifically noted in the documentation.

WHO IS RESPONSIBLE: Dr. Shacket

IN THE MEAN TIME... We can expect some denials from Blue Cross in the interim period as these encounters do not meet Blue Cross' criteria for medical necessity without the changes in protocol and documentation guidelines as noted above in the PLAN TO REMEDY section.

WHEN WILL THIS ITEM BE COMPLETED: 3 weeks after acceptance of the CAP

Corrective Action Plan (CAP)

Dated May 16, 2016

Dr. Rick Shacket/Medwell, LLC dba Pain Associates of Gilbert and Blue Cross of Arizona

ITEM #5

ITEM ADDRESSED: **Too frequent TPIs**

PLAN TO REMEDY: The medical protocols are to be changed to decrease the frequency of TPIs down to an average of 1/week. In the event that Blue Cross is billed for TPIs at a frequency exceeding once/week, we will expect a denial from Blue Cross as this frequency exceeds Blue Cross' definition of reasonable/medically necessary.

WHO IS RESPONSIBLE: Dr. Shacket and the billing department/agency

IN THE MEAN TIME... Billings that are currently being held will be reviewed. TPIs billed in excess of once a week will be removed (not submitted to Blue Cross)

WHEN WILL THIS ITEM BE COMPLETED: 2 weeks after acceptance of CAP

Corrective Action Plan (CAP)

Dated May 16, 2016

Dr. Rick Shacket/Medwell, LLC dba Pain Associates of Gilbert and Blue Cross of Arizona

ITEM #6

ITEM ADDRESSED: Office visits (E&M services) billed in conjunction with procedures (without establishing proper justification (Significant and separately identifiable))

PLAN TO REMEDY: Instruct providers and staff as to when it is appropriate to bill an office visit in conjunction with a procedure. Providers and staff to be trained to understand the concept of "significant and separately identifiable" and when it appropriate to bill for an E&M service in conjunction with a procedure (physiotherapy and/or TPIs).

Revise the Office Visit documentation so that a reviewer can easily see that an E&M services is justified by the circumstances as documented in the medical record.

Instruct the billing staff as to the proper use of the -25 modifier

Instruct the billing staff as to proper diagnosis "linking" to better validate billing E&M codes in conjunction with procedures.

Linking example:

Diagnoses

1 Cervicalgia

2 herniated disk

3 muscle spasm

4 Obesity

Link(s) Procedures

3, 1 Trigger pt inj.

2,4,1,3 Office visit

Note: Any diagnosis linked to the OV should be addressed in the progress note. In the example above, there should be a note as to what was done/ordered to address the herniated disk and obesity (thereby justifying the OV). The muscle spasm and back pain justify the TPI. There CAN be an overlap, but DX overlaps should be avoided

After these internal behavior modifications are completed it should be presumed by Blue Cross that only appropriate E&Ms will be billed for (in conjunction with procedures). Blue Cross is always able to request notes to verify Pain Associates of Gilbert's compliance.

WHO IS RESPONSIBLE: Dr. Shacket to modify documentation templates. Bruce Westenberg to counsel billing staff and providers as to when is it appropriate to bill an E&M service along with a procedure.

IN THE MEAN TIME... Blue Cross is expected to deny office visits which they consider "bundled" with the procedure payment.

WHEN WILL THIS ITEM BE COMPLETED: 60 days after acceptance of CAP. Additional time is required to accomplish this item to accommodate employee vacations and/or absenteeism on training day

Corrective Action Plan (CAP)

Dated May 16, 2016

Dr. Rick Shacket/Medwell, LLC dba Pain Associates of Gilbert and Blue Cross of Arizona

ITEM #7

ITEM ADDRESSED: Ultrasonic guidance for trigger point injection(s) TPIs

PLAN TO REMEDY: Instruct the billing staff to bill Blue Cross patient for ultrasonic guidance when used solely to guide needle placement for TPIs with a non-covered service code.

Note: This specific PLAN TO REMEDY does NOT affect ultrasonic guidance related to localizing needle placement for tendon/ligament injections <http://mcgs.bcbsfl.com/>

WHO IS RESPONSIBLE: Practice Administrator to implement policy changes

Billing staff/agent to set up software “triggers” to accomplish special billing protocols for billing BC/TPI/USG

IN THE MEAN TIME... Some claims will “sneak through” which have already been coded and billed in the interim period. We expect Blue Cross to deny ultrasonic guidance when used strictly to localize trigger points as “not medically necessary”. Medwell, LLC dba Pain Associates of Gilbert agrees not to hold the Blue Cross subscriber financially liable for these services.

WHEN WILL THIS ITEM BE COMPLETED: 3 weeks from the acceptance of the CAP

Corrective Action Plan (CAP)

Dated May 16, 2016

Dr. Rick Shacket/Medwell, LLC dba Pain Associates of Gilbert and Blue Cross of Arizona

Item #8

ITEM ADDRESSED: Response policy for insurance company's request for supporting medical records

PLAN TO REMEDY: All requests for records (of more than 3 records) should be brought to the attention of a manager and/or Medical Director.

Instruct the billing staff to send the request for records to the manager and/or the Medical Director along with any pertinent documents in their possession .

All documents should be reviewed for completeness prior to returning the documents to the insurance carrier requesting the records.

The Medical Director and the Manager is ultimately responsible for the content and completeness of the response to all requests for medical records

WHO IS RESPONSIBLE: Dr. Shacket & Medwell LLC Administrator(s)

IN THE MEAN TIME...Send this page of the CAP to all Medical Director(s), Manager(s), billing staff, records staff, and custodian of records

WHEN WILL THIS ITEM BE COMPLETED: 1 week from the acceptance of the CAP