

Part B Insider (Multispecialty) Coding Alert

COMPLIANCE: Considering E-Mail Consultations? Read This First

The point-and-click era has patients clamoring for electronic access to their physicians, but before a doctor starts doling out her e-mail address, she should consider the compliance and reimbursement risks.

A recent Harris poll analysis shows that more than 70 percent of patients want to be able to contact physicians via e-mail. But physicians have been reluctant to hop aboard the e-train - and with good reason.

Physicians considering allowing their patients to be a click away should consider the time, compliance and reimbursement issues it could dredge up, cautions attorney **Michael Roach** with Michael Best & Friedrich in Chicago.

There are four main points of concern physicians should note when thinking about e-mail, Roach says:

1. Time constraints. The potential for spending an inordinate amount of time conversing with patients through e-mail is quite high, Roach says. As it stands now, patients won't bother to contact their doctor unless they really feel they should come in for an appointment. If the doctor is just an e-mail away, however, patients will be far more likely to write in concerning every little thing that comes up.

And in most cases, you won't be able to bill for that time, Roach reminds physicians. Some insurance carriers are now beginning to reimburse for e-mail consultations, but that's "not generally the case," Roach notes.

2. Security concerns. HIPAA has made patient privacy a major hot button, and e-mail is vulnerable to privacy breaches if physicians aren't careful. It's awfully easy for someone to push the wrong button, Roach warns. And that could result in someone's protected health information going to the wrong person - a huge compliance no-no.

3. Malpractice risks. A physician "runs a higher risk" of facing a malpractice suit if something goes wrong with a patient she didn't actually see, Roach says.

4. Licensure issues. Until state medical boards and other licensing entities give their blessing, physicians should worry about whether they'd consider practicing medicine via e-mail acceptable, Roach says.