

## Part B Insider (Multispecialty) Coding Alert

### PHYSICIAN NOTES: You Can't Change The Terms Of Relocation Bonuses After The Doctor's Already Relocated

#### AMA blitzes the airwaves to stop Medicare pay cuts

Now that the **Centers for Medicare & Medicaid Services** finished laying out the sweeping changes it wants to make to the Stark self-referral law, it's ready to give some advice.

CMS issued an advisory opinion (CMS-AO-2007-01) on the Stark law in response to a question from a hospital and physician. Experts hope this may be the first of many opinions clarifying some thorny Stark issues.

The actual opinion is -pretty straightforward,- says Washington, DC, attorney **Kevin McAnaney**, who was an official with the **HHS Office of Inspector General** for many years.

The hospital in question paid the physician a forgivable \$25,000 loan and some monthly expenses and income guarantees to convince him to relocate to its geographic area. Circumstances changed, and the hospital and physician wanted to be able to change their agreement to ease the physician's financial constraints.

But CMS said that now that the doctor had already moved to the hospital's area, the hospital couldn't pay him any more, either directly or indirectly. -Whatever you put on the table has to be on the table before he comes- to the area, McAnaney says. -It's got to be an inducement for him to come. Once he's there, you can't change it.-

The biggest lesson from the opinion is that you should build flexibility into your relocation agreements with hospitals in advance because you can't change them later, says McAnaney.

#### In other news:

- The **American Medical Association** (AMA) & **American Association of Retired Persons** (AARP) are buying television ads to put pressure on members of Congress to stop the 10-percent cut to your Medicare payments--before it's too late. Now's the time to write to your representatives and remind them that you might have to scale back your Medicare business if the cuts go through, the AMA urges.

- Maybe electronic medical records (EMRs) will start taking off now that **Microsoft Corp.** is offering a free personal health record on the Web. The project, known as Health-Vault, includes cooperation from the **American Heart Association**, the Mayo Clinic and more, says the New York Times.

- As the Baby Boomers age, the doctor shortage will worsen. Already, seniors in some areas are having trouble scoring doctor's appointments, especially in primary care, according to Prevention Magazine. By 2020 Americans could be short as many as 200,000 MDs, according to a recent study, at [www.aamc.org/workforce/recentworkforcestudies2007.pdf](http://www.aamc.org/workforce/recentworkforcestudies2007.pdf).

[Primary-care physicians are already scarce; last year alone, demand for appointments rose by about 50 percent, Prevention claims.](#)