



Ethical Best Practices

BY

Sherry Doggett



Open Letter Series
AHDI Board of Directors
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Dear Colleagues,

There have been many questions asked about "why are we as an organization focusing on an ethical best practices toolkit when we have so many other pressing issues as an industry?" Let's talk about the issues and the why.

For many years our industry has been unregulated with regard to quality assurance (QA), billing practices, business solicitation, pay models and the list goes on. An unregulated industry is fraught with potential for fraud. Government agencies often take a very unfavorable view of industries that do not practice some form of self-regulation. With the advent of HIPAA, our industry and health care as a whole came to the forefront. Following the MedQuist class action settlement, AHDI was approached to serve as an organization that would not only coordinate program offerings to the plaintiffs but serve as an industry beacon to develop an ethical practices program that safeguards the industry and MTs from unscrupulous business practices. This would allow AHDI to "pay it forward" and leave a bigger footprint on the industry as a whole.

With the advent of back-end speech recognition and now implementation of EHRs across the country, we have competing technology to replace traditional medical transcription. This becomes another driver for the industry to recognize the need to step up and self-regulate, utilizing the Ethical Best Practices manual.

The American Recovery and Reinvestment Act of 2009 contains several important health initiatives relating to HIPAA. The Act expands requirements of covered entities relative to business associates (and not just contractual obligation alone) to include vendors and MTSOs (Medical Transcription Service Organizations). The Act also subjects business associates to civil and criminal penalties for violating HIPAA's security and privacy rules.

So what is this manual about? The manual includes the AHDI code of ethics; CDIA (formerly MTIA) code of ethics; operational best practices along with billing, compensation, and marketing/solicitation best practices. There are also employee vs. independent contractor guidelines and exempt versus non-exempt status guidelines. There are multiple sample policies/procedures relating to HIPAA and a sample Business Associate Agreement. Guidelines for the establishment of a HIPAA-compliant home office are also included. As you can see, the toolkit provides accountability for how you work, transparency in where the work is done, billing, compensation, and quality standards. The ethical best practices toolkit isn't an industry facade but something real, tangible, and meaningful to our industry. It is not about being reactionary and just complying with absolutely what you have to do. Self-regulation protects the industry from within against people who aren't ethical and who give the industry a bad

name. The industry can't survive if we allow the lowest common denominator. We need to maintain integrity and excellence in what we do.

For the working MT, ethical best practices should establish a relationship of transparency and trust between employer and employee, creating a more open, honest relationship. The fate of MTSOs correlate with the fate of the working MT. Ethical best practices demonstrate to those in HIM, and especially to government agencies, that we are working to be ahead of the curve, ethical, and self-regulating. This should allow us to be at the table to craft laws and regulations that will be favorable to our industry and encourage healthcare industries to look to medical transcription as a way to provide each patient's unique narrative, address healthcare documentation needs, and not view us as an aging "dinosaur."

Even more exciting news is that the ethical best practices toolkit has people talking about the issues surrounding self-regulation. Business owners are asking questions about their operation and asking, "Is my business a transparent, ethical organization?" As a purchaser of transcription services in my day-to-day job, I believe this will give MTSOs who are transparent and accountable a financial benefit on a long-term basis.

I would encourage you to take a look at the [Ethical Best Practices Manual](#) on the AHDI website.

Please email your thoughts, questions, and concerns to me at sherry.doggett@uchealth.com.

Respectfully,

A handwritten signature in black ink that reads "Sherry Doggett". The signature is written in a cursive style with a large, prominent "D" and "G".

Sherry Doggett
AHDI Board of Directors, Treasurer