

## UNDERSTANDING "RISK ASSESSMENT" AUDITS

Members have been asking about requests for patients they've received from Inovalon, EpiSource and Ciox. In an attempt to answer some of the questions that we've seen, we offer this information. Inovalon, EpiSource and Ciox have been engaged by insurance companies to review randomly selected records. This is not a clinical review.

This review is mandated by the Affordable Care Act for the purpose of "risk assessment" and is meant to assure that insurance carriers are not "cherry picking" clients, e.g. only "healthy" people. This is accomplished, as most audits are, by randomly selecting patient records as a representative sample of the insurance company's clients. This is not a clinical review to determine whether treatment is "appropriate" or if the insurance company will continue to pay for treatment.

After the initial contact from either of those third-party examiners you should receive a letter naming the patients whose records they are seeking. The letter will also explain the parts of the record they want. This will include: Clinical documentation (admission, discharge notes, or progress notes), medication prescription and monitoring, modalities and frequencies of treatment furnished, results of clinical tests and a summary of the following: diagnosis, functional status, treatment plan, symptoms, prognosis, progress to date. The letter will inform you that they do not want psychotherapy (process) notes, which are excluded from review by HIPAA. If you have separate psychotherapy notes you exclude them from the information.

You are not required to obtain a separate consent for release of information from the patient as your Notice of Privacy Practices and Informed Consent documents explained that you may release information for the purpose of conducting business, which covers this request. You may decide to obtain a separate release for this purpose and discuss this with your patient, but it's not required.

The requested records may be sent via USPS or fax. Emailed records must be sent (according to the letters sent by EpiSource and, we'll assume Inovalon and Ciox) only by encrypted email because it contains Protected Health Information. You can contact any of the companies involved by phone using the number on the letter they send.

This may seem intrusive and an inconvenience but its purpose is to make sure that insurance companies are able to continue to assist our patients to afford their treatments through participation in the Affordable Care Act.

Jay E. Korman, LCSW, BC-TMH

Chairman, Practice Management Committee