

November 7, 2008
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To: Primary Care, Specialty and Behavioral Health Providers
Contracts Affected: Medicare Advantage

Risk Adjustment Chart Review to Begin

BlueCross BlueShield of Western New York, in cooperation with The Centers for Medicare and Medicaid Services (CMS), asks you to help us complete an important review that will ensure you receive accurate reimbursements for the services administered to your patients.

To help us, we're asking you to provide medical records to facilitate a risk adjustment chart review. Risk adjustment is a new method of payment from CMS that depends on accurate chart documentation and diagnosis coding.

Reviewing medical chart documentation will enable BlueCross BlueShield to identify conditions that were noted in the progress notes but:

- a. were not coded at the time of the visit and/or
- b. were not coded to the highest degree of specificity at the time of the visit

Using the requirements provided by CMS to Health Plans, BlueCross BlueShield has retained the services of The Coding Source, LLC, to assist in data validation and subsequent submission to CMS for a portion of risk adjusted payment.

Certified professional coders from The Coding Source, LLC, will conduct the medical record chart reviews for this project. This is what you and your staff can expect:

- The Coding Source, LLC, will fax a list of patient names/medical records that will be reviewed. Please **do not** pull the medical charts when you receive the list.
- A representative from The Coding Source, LLC, will call your office to schedule a day and time for the chart review. **Once the chart review date is confirmed, please pull the requested medical charts.**
- A Certified professional coder will come to your office to review the charts. Please designate a well-lit area where the coder can sit and review the charts.
- If the volume of charts to be reviewed is **five or less**, The Coding Source, LLC, will offer the provider the option of faxing the requested medical charts to a **secure** fax number.

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Confidentiality

HealthNow New York Inc., parent company of BlueCross BlueShield of Western New York, has executed a confidentiality agreement with The Coding Source, LLC, and their employees on behalf of our physicians and members, and any information shared during audit activities and reviews will be kept in the strictest of confidence, in accordance with all applicable State and Federal laws and HIPAA requirements regarding the confidentiality of patient.

If you have any questions regarding this bulletin, please feel free to contact The Coding Source, LLC, directly at 1-310-622-1001.

Confidentiality:

HealthNow New York, Inc. has entered into a Business Associate Agreement with The Coding Source, LLC, in accordance with the privacy regulation of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). This agreement allows this vendor to perform activities involving the use or disclosure of individually identifiable health information on behalf of HealthNow New York, Inc. In addition, it only permits this vendor to use the information as permitted under the Agreement. The regulations promulgated under HIPAA are the federal rules that govern the privacy of an enrollee's protected health information (PHI), and establish requirements for the use and disclosure of PHI by physicians/health care professionals and health plans in connection with their "health care operations" activities. HIPAA allows a covered entity to disclose PHI to another covered entity for the health care operations of the entity receiving the information, without an enrollee's authorization or consent, under certain circumstances. Under this provision, you are permitted to disclose PHI to this vendor, as a HealthNow New York, Inc. Business Associate.

In adopting this regulation under HIPAA, the Department of Health and Human Services (HHS) explicitly recognized in the preamble to the HIPAA privacy regulations that health plans may need to obtain PHI from physicians and other health care professionals for the plans' quality related activities, accreditation, and performance measures (CMS-HCC PROJECT). HHS confirmed that the provision "was intended to allow information to flow from one covered entity to another for activities important to providing quality and effective health care."

Therefore, a signed consent form from the member is not required under the HIPAA privacy rule for you to release the requested information to HealthNow New York, Inc. or to this vendor, who is acting on our behalf.