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CASE 3 To Suspend or Not to Suspend?

Maya works at Community Medical Center as Assistant Director of the Health Information Services department. She has worked in Health Information Management for the past 15 years, although she is new to this facility within the past two weeks. Maya is aware of statistics that must be maintained for the Joint Commission and for licensing purposes. Her previous work experience has included Physician Record Assistant at a 250-bed acute care hospital and Director of Health Information Services at a large Joint Commission-accredited acute care facility with an associated skilled nursing facility and a level I trauma center.

Suspension of physicians for incomplete records is done each Wednesday at the Community Medical Center. The first Wednesday that Maya is observing D'Shondra, the Physician Record Assistant, compiling the statistics and list of physicians who are to be suspended, she notices that there are six physicians who have incomplete records and should be suspended. Maya alerts D'Shondra to the fact that she had neglected to include these six physicians on the suspension list and the statistical data for suspension and delinquency rates. D'Shondra responds by explaining to Maya that there is an unwritten rule that these physicians are not to be suspended under any circumstances. When Maya questioned the rationale for failure to suspend this select group of physicians, D'Shondra tells her, "It's been this organization's unwritten policy ever since I've been here. I just follow directions and accept the fact that there is probably a good reason for it."

Maya is concerned not only about the fairness to the rest of the physicians on staff but also regarding the accuracy of statistics that are compiled each week and integrity of documentation. She takes her concerns to Barbara, the Director of Health Information Services. Barbara explains to Maya that there are a variety of reasons behind the apparent noncompliant suspension process. One of the physicians brings a significant number of patients to the facility and has a history of threatening to take his patients to the competing hospital across town if he is ever suspended by Community Medical Center due to incomplete records. Two of the other physicians are cardiac surgeons who have stated to administration that if they are ever suspended due to delinquent records, they will no longer utilize the facility for their surgical cases. Community Medical Center went through a difficult process to entice the cardiac surgeons to refer their cases to the open heart surgical unit just five years ago, when the unit was added. Part of the negotiation process with these physicians included a gentleman's agreement with the medical center's administration that they would not be suspended for delinquent records.

Barbara explained that the fourth physician who was not included for suspension is the brother-in-law of Community Medical Center's Chief Executive Officer. This physician did not have a history of threatening to take his business elsewhere; rather, he had simply taken advantage of his family ties with the Chief Executive Officer to gain a grace period for completing his records for the sake of convenience.

The final two physicians who had been left from the list, Barbara explained, are simply handled with kid gloves because they tend to be general nuisances to the organization if things are not done their own way. One of them is a general surgeon who does the majority of his procedures at Community Medical Center because he and his patients prefer the facility. However, this physician has poor organizational

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and prioritizing skills and rarely completes his records without a significant amount of reminders from the Physician Record Assistant. He has been able to convince the Chief Executive Officer that the competing hospital across town has made him exempt from suspension, and he has an agreement that he will complete his records as soon as possible each month as long as he is exempt from suspension. Dr. McDonald is an older physician who has been on staff at Community Medical Center for the past 30 years and was supposedly grandfathered into being exempt from the suspension process many years ago. He is only on staff at Community Medical Center and not at the other facility. He has a history of creating a scene when previous Physician Record Assistants have tried to suspend him for incomplete records, then taking his complaint about suspension to administration, where the ruling to suspend is revoked.

Maya prides herself in meticulously adhering to laws, rules and regulations, and organizational bylaws. When working at previous facilities, she consistently ensured that the facilities' statistics were accurately reported. Because of her dedication to honesty in reporting statistics, she felt that it would be appropriate to take this issue to administration, assuming the senior administrators of the facility were equally as dedicated to calculating and reporting accurate statistics. Unfortunately, this did not seem to be the case when she presented the issue. The Chief Executive Officer reminded her that keeping the physicians happy should be priority because without these physicians being able to admit patients or schedule surgical procedures, the organization's revenue would decrease. He assured her that the current unwritten policy for these physicians being exempt from suspension of privileges has worked fine for years and that it would not be fiscally responsible to change now. He also reminded her of the importance of the confidential nature of the unwritten policy to prevent other physicians from expecting similar treatment.

Discussion Questions

- 1. What internal and external forces impact Maya's concerns in this case?
- 2. What ethical concerns are presented in this case?
- 3. Are there any legal issues that need to be considered regarding this case?