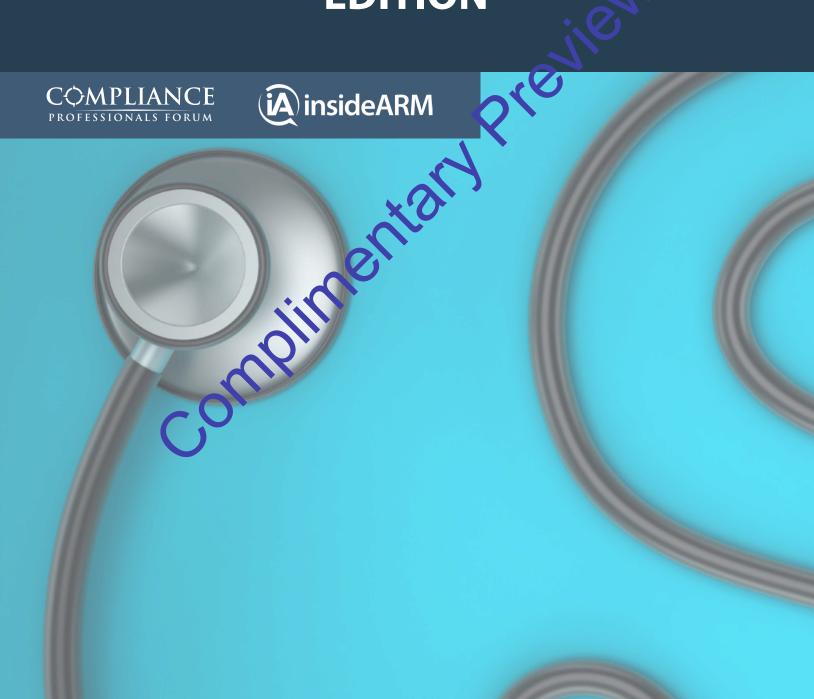
# REPORT

# NEGOTIATING SERVICE CONTRACTS: REVENUE CYCLE MANAGEMENT EDITION



, Maryland 20850

Published by insideARM LLC 6110 Executive Blvd, Suite 1040, Rockville, Maryland, 20850 editor@insideARM.com | 240.43 9.3 834 | www.insideARM.com

Copyright © insideARM I Can'd Compliance Professionals Forum
All rights reserved
Printed in the Unit of States of America

This publication is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, resold, hired out, or otherwise circulated without the publisher's prior consent.

Reprint licenses are available for an additional fee.

The scanning, uploading, and distribution of this publication via the Internet or via any other means without the permission of the publisher is illegal and punishable by law. Please purchase only authorized editions.

#### **Legal Disclaimer**

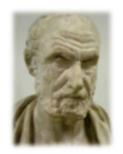
This information is not intended to be legal advice and may not be used as legal advice. Legal advice must be tailored to the specific circumstances of each case. Every effort has been made to assure this information is up-to-date. It is not intended to be a full and exhaustive explanation of the law in any area, however, nor should it be used to replace the advice of your own legal counsel.

The views and opinions expressed herein are solely those of the Compliance Professionals Forum. The information and any materials provided "as is" and the CPF along with its parent organization expressly whe any claim of the above to the configuration of the configuration disclaim all warranties, conditions, representations, indemnities and guarantees whether express or implied, arising by law or custom. In no event will the CPF be held liable for any claim or action arising from or related to your failure to comply with any laws or regulations. Your use of the metal als constitutes full and sufficient consideration for, and acceptance by you, of the above terms

# **Table of Contents**

Introduction	4
The Keys to Successful Outsourcing of Medical Debt Collection	4
The Importance of Negotiating the Right Medical Collection Agreement	4
Top 10 Terms to Include in Your Services Agreement	6
1. Protections against HIPAA Liability	7
2. Protections against Liability under Other Laws	8
3. Firm Collection Techniques	10
4. Services Firm Will Provide	12
5. Firm's Obligation to Report Collections Information	13
6. Firm's Obligation to Report Patient Contacts	14
7. How the Firm Will Be Paid	15
8. How Patient Payments Will Be Remitted	16
9. Client Support Services the Firm WII Provide	17
10. Termination of the Agreement	18
APPENDIX A	19

#### Introduction



"In purity and according to divine law will I carry out my life and art."

-- From the Hippocratic Oath

**C**hasing patients to collect medical debts probably wasn't the "purity" the ancient Greek physician Hippocrates had in mind when he penned his famous oath back in the late 5<sup>th</sup> century BCE. But while Hippocrates didn't mention debt collectors

explicitly in his oath, he likely didn't begrudge them the right to be paid either.

2,400 years later, getting patients to pay their medical bills hasn't gotten any easier. So it's hardly surprising that so many doctors, hospitals, and other healthcare providers have to medical debt collection agencies. These agencies didn't exist in Hippocrates' time; but to the extent they liberate doctors from money problems so they can concentrate on their "art," Hip or crates would have probably welcomed the third-party revenue cycle management firm.

### The Keys to Successful Outsourcing of Medical Debt Collection

Of course, one of the driving forces behind outsourcing of medical debt collection is cash flow. Stated simply, outsourcing medical debt collection improves collection, and enhances efficiency.

At least it has the potential to.

While it has proven effective for many healthcase providers, there's no guarantee outsourcing will work for *your* organization. For the strategy to vock, you must:

- 1. Select the right medical revenue cycle management firm; and
- 2. Negotiate a mutually fair collection services agreement with the firm to ensure you are able to form a partnership with the firm as opposed to a vendor/client relationship.

The first installment in this series talked about the first challenge. (See <u>A Guide to Selecting a Debt Collector</u>, <u>Healthcare Ed.</u>, <u>How to find collection agencies and the top 10 criteria for evaluating debt collectors</u>.) This Information Briefing tackles the contract issues.

## The Importance of Negotiating the Right Medical Collection Agreement

Services contracts with your vendors *are* important no matter what function you're outsourcing or what industry you're in. The terms of the services contract go a long way in determining whether you get the fair and expected return from your arrangement. Many a creditor has seen the advantages of low collection fees go up in smoke because the contract was bad.

The right contract is even more important when the debts collected are medical debts.