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WEBINAR

#7402 Ethical Dilemmas Associated with Medical Necessity Determinations and Dimensions of Rehabilitation Outcomes

Instructor:
John D. Banja, PhD

Audience:
Physical Therapists and Assistants

Delivery Options:
Live Webinar or Self-Study Options

SUMMARY: The idea of providing health care treatments and insurance coverage according to “medical necessity” determinations seems eminently reasonable. Its obvious ethical thrust is to discourage unnecessary, wasteful or fraudulent practices. As practically implemented, however, “medical necessity” regulations and determinations have proven remarkably controversial and have particularly vexed rehabilitation providers. Medical necessity determinations incur problems as to who should ultimately make them: payors, health providers or the courts. Obviously, whoever controls the definition of medical necessity controls the flow of health care dollars. While ethical theory can offer important insights about our moral obligations, it remains unable to reliably translate its theoretical principles and rules bearing on harms, benefits and justice into informing medical necessity determinations. Thus, resolving disputes over medical necessity have taken a procedural approach that looks to the interpretation of contractual language in insurance policies, often at the bench of an administrative law judge. The dimensions for Rehabilitation outcomes, especially as they result from the research environment, are actually colored by a variety of valutive beliefs or perspectives. Examples include: Which outcomes are desirable? How much should a third-party payer be asked to pay for an outcome? How much evidence ought to exist to warrant a particular treatment? What should the success probability of an outcome be so as to justify its associated treatment? Also, the course will discuss outcomes deriving from nontraditional, nonwestern modalities and how they might be evaluated. Course instruction methods include lecture, demonstration, videos, case studies and question/answers. (Intermediate Level)

PRESENTER: **John Banja, PhD** is a Professor in the Department of Rehabilitation Medicine and a medical ethicist at the Center for Ethics at Emory University. He also directs the Section on Ethics for the Atlanta Clinical and Translational Science Institute at Emory. Dr. Banja received a doctorate degree in philosophy from Fordham University in New York and has taught and lectured on topics in medical ethics throughout the United States. He has authored or coauthored over 150 publications and has delivered over 800 invited presentations at regional, national, and international conferences. He currently serves as the Editor of the **American Journal of Bioethics-Neuroscience**, the leading scholarly journal in the field of neuroethics. Dr. Banja has conducted research or educational projects with numerous federal and private organizations including the NIH, the American College of Surgeons, The Agency for Health Care Research and Quality, The National Institute for Disability and Rehabilitation Research, the American Society for Healthcare Risk Management, and the Georgia Hospital Association. He is a former board member of the Commission for Case Manager Certification and currently sits on the governing board of the American Society of Cataract and Refractive Surgery. His research interests include topics in neuroethics and ethical dilemmas occurring in clinical and translational research. His most recent book, **Medical Errors and Medical Narcissism**, was published by Jones and Bartlett Publishers in 2005. The instructor has a relevant financial interest to disclose in the sale of his ethics book and nonfinancial relationship to disclose in developing his ethics programs and products. *Financial*— Received a teaching honorarium from Motivations Inc. *Nonfinancial*— No relevant nonfinancial relationship exists.

OBJECTIVES: Upon completion of this course, the participant will be able to:

1. Understand and describe some recent history of medical necessity determinations, as that history has played out among insurance companies, health professionals and the courts.
2. Identify why medical necessity determinations can be vexatious and controversial.
3. List the kinds of conflicts of interest in making medical necessity determinations confronting payors and providers of care.
4. List current methods of resolving conflicts and disputes over medical necessity determinations and their limits.
5. Identify cultural dimensions of outcome studies.
6. Recognize how values bearing on success probability and cost affect our interpretation of outcomes.
7. Identify the role of evidence in interpreting outcome studies.

FORMAT: This is a 3-contact hour course equivalent to 3 CEU's or 0.3 CEUs offered as a live webinar or self-study. Instructors present the live course content via an internet website displaying real time power points. Learners will receive a course instruction link. Instructors lecture through livestreaming internet on your computer. Questions may be asked during the webinar using the chat feature or the “raise hand” feature for live discussion.

PT CEU's: Motivations Inc is an approved provider of Physical Therapy continuing education by these professional bodies: Texas Chapter of the American Physical Therapy Association, ILDPR- Illinois Department of Professional Regulation Approved PT CE Sponsor, NY- New York State Education Department, Office of the Professions. Physical Therapy Board of California. Many state boards recognize these for pre-approval purposes. Contact us if you would like verification a state.

AGENDA:

Pre-Study: 30 Minutes Plan to read the course materials, references and review the post test before the start time. Please be prepared to share patient case study and related question during the discussion time.

- 15 min: History and insurance companies
- 45 min: Determination considerations and Methods for conflict resolution
- 30 min: Values vs. Profitability
- 15 min: Evidence and outcomes
- 15 min: Questions and discussion

Post-test: 30 Minutes Research, identify, and submit your post test question answers on the online form. This is an open book test you can take multiple times if needed to obtain the 70% score. Complete the evaluation feedback survey and needs assessment. Obtain, review and save your auto-emailed certificate for your files.