

COVID-19 PHYSICIAN FMV COMPENSATION MAP UNDER THE STARK BLANKET WAIVER

Does the financial arrangement relate to a COVID-19 purpose?

- | | | |
|---------------------------------------|--------------------------------------|---|
| YES | NO | |
| ■ | ■ | To Diagnose or Treat COVID-19 patients or individuals |
| ■ | ■ | Securing Services in response to the COVID-19 Outbreak |
| ■ | ■ | Ensuring the ability / enabling capacity of providers to address community health needs due to COVID-19 |
| ■ | ■ | Use of alternative settings due to the COVID-19 Outbreak |
| ■ | ■ | Addressing medical practice interruption due to COVID-19 |

If "YES" is answered to any of the above questions, then utilize the "YES" grid below. If "NO" is selected for ALL questions above, Consider Fair Market Value Analysis.

YES				NO	
Is the physician experiencing:				If the requirements under the Stark Blanket Waiver are not met:	
High Physician Productivity / Burden associated with COVID-19		Low Physician Productivity / Burden associated with COVID-19			
Compensation	Documentation	Compensation	Documentation	Compensation	Documentation
Hazard Pay: 10 to 30% of base compensation	Utilize proxy market examples for compensation in hazardous settings (i.e. military imminent danger, government differentials, mining, off-shore drilling, etc.)	Shift More Compensation to Base Guarantee vs Production	Subject to Physician Specialty and how integral it is to the organizations mission, certification status, and/or designation	Consider Fair Market Value Analysis	
Maximum of 150% of median hourly rate	Require timesheets reflecting hours worked in excess of 40 hours per week	Shift More Compensation to Base Guarantee vs Production	Review Community Health Needs Assessment as it relates to the Physician Specialty		
Benchmark Surveys	Evaluate wRVU rate as production volumes increase to ensure that total compensation remains reasonable	Compensate for non-clinical services being provided	Document Physician's non-clinical work (administrative, research, GME, etc.) to meet the needs associated with COVID-19		

RETROACTIVE TO MARCH 1, 2020 TO END OF STATE OF NATIONAL EMERGENCY

DOCUMENT CONTEMPORANEOUSLY AND RETAIN GOOD RECORDS

Note:

- i. This tool is to help guide health systems and practices on establishing compensation that is reasonable and compliant in the context of the Stark Blanket Waiver and OIG opinion during the State of National Emergency. This tool is not meant to substitute for legal advice specific to your situation.
- ii. This tool is not a substitute for a Fair Market Value Analysis but is to provide guidance under the extraordinary circumstances of the State of National Emergency.
- iii. The suggestions above should be evaluated on a case by case basis and consider each subject agreement compensation accordingly.

For additional guidance, please contact one of our experts today:

Joe Aguilar, MBA, MPH, MSN, CVA

Partner, HMS Valuation Partners
10 Glenlake Parkway, Suite 130A, Atlanta, GA 30328
Direct: 678.984.6435 | Fax: 615.370.6222

Natalie Bell, MBA, CVA

Director, HMS Valuation Partners
10 Glenlake Parkway, Suite 130A, Atlanta, GA 30328
Direct: 251.473.7458 | Fax: 615.370.6222

