

MINNESOTA PHYSICIAN

APRIL 2018

THE INDEPENDENT MEDICAL BUSINESS JOURNAL

Volume XXXII, No. 01



Ambulatory surgery centers

Expanding choices for patients

BY TOM POUL, JD, AND RACHEL STUCKEY

Every day, more than 1,500 Minnesotans choose to have their outpatient surgery performed in an ambulatory surgery center (ASC) instead of in a traditional hospital. Undergoing anesthesia during surgery once meant you had to stay in the hospital for several nights. Today, surgical advancements and high deductible health insurance plans are influencing patients to choose outpatient surgical centers.

“For appropriate patients, outpatient surgery has been shown to be safe and effective, achieving similar outcomes while allowing patients to spend less,” said Darci Nagorski, St. Cloud Surgical Center CEO.

Minnesota is home to 61 Medicare-certified ambulatory surgery centers, many of which are members of the Minnesota Ambulatory Surgery Center Association (MNASCA), a statewide, nonprofit trade association committed to promoting high-quality, value-driven surgical services.

According to its president, MNASCA works to ensure that surgery centers continue to thrive as a distinct model of care for Minnesota’s health care consumers.

“It is well documented that ASCs are a high-quality, low-cost option for outpatient surgery. The ability to avoid a long day or days at the hospital not only can impact the patient experience but also the family and friends assisting in the care process. When you combine that experience along with lower patient copays it creates a significant value to all involved,” said Rob Simmons, MNASCA president and COO at Twin Cities Orthopedics.

Including Minnesota, 43 states currently have ASC associations that are working to increase quality, lower costs, and provide superior patient satisfaction. Many ASCs also belong to the Ambulatory Surgery Center Association (ASCA), a national organization.

Benefits of ambulatory surgical centers

ASCs are modern health care facilities focused on providing same-day surgical care, including diagnostic and preventive procedures. ASCs have transformed the outpatient experience by providing a more convenient alternative to hospital-based outpatient procedures.

On average, patients who have their outpatient surgery at an ASC save 40–50 percent on the cost of their procedure, resulting in lower out-of-pocket costs. According to a recent University of California–Berkeley study, ASCs save Medicare \$2.3 billion each year on the 120 most common procedures

that they perform for Medicare patients. According to the same study, these savings could exceed \$57.6 billion over the next 10 years.

In addition to a cost benefit, ASCs' focused and trained staff works closely with surgeons to ensure an excellent patient experience. With hospital-grade operating rooms and dedicated teams committed to clinical quality, ambulatory surgery centers consistently experience lower rates of surgical site infections than hospitals.

Efficient operating room management, easy "in-and-out" access for patients, and coordinated postoperative care make ASCs a more efficient and convenient option for patients. In fact, research shows that procedures performed at outpatient surgical centers typically take 31.8 fewer minutes than those performed at hospitals.

In addition, ASC patients return home as early as the same day of surgery and receive personalized care to ensure that their discharge goals are met. Ambulatory surgery centers support a variety of specialties, including ear, nose, and throat; orthopedic, including joint replacement; dental/oral; spine; eye care; gynecology; podiatry; gastroenterology; and general surgery.

"Because ASCs provide a more intimate setting related to size and design, it really motivates the staff to engage with each patient and ensure they have a positive experience. Our members take great pride in working in these efficient and high-quality environments knowing they are truly playing a part in lowering the overall cost of healthcare," explained Simmons.

In addition to benefits for patients, there are many advantages physicians experience when they choose to perform outpatient procedures at an ASC. For example, when surgeons are invested in the surgery center, they have the ability to control their environment and treat patients with the best care possible while creating an additional revenue stream. With enhanced efficiency in mind, physicians are also able to try new and innovative ways to maximize surgical time and minimize downtime for the physicians and staff. For procedures that do not require inpatient care, ASCs provide a safe, effective alternative.

Communication, advocacy, and education

MNASCA is comprised of a variety of membership levels, including individual memberships, associate memberships (for non-ASC supporters), and full facility memberships. MNASCA surgery center members vary in both shape and size. They include both physician-owned and hospital-owned centers as well as partnerships, and they also range from single specialty to multi-specialty facilities. All members share a common interest in promoting quality, value-driven outpatient surgical care.

Members of MNASCA provide a variety of services, from gastroenterology and orthopedics to pain management and plastic surgery. Common procedures include knee arthroscopy, cataract removal, carpal tunnel release, colonoscopy, pain management injections, ACL reconstruction, hernia repair, implant removal, and shoulder arthroscopy.

In addition to providing its members with up-to-date information on legislative, safety, and procedural issues that may affect their centers, MNASCA also promotes the ASC industry through advocacy and education.

MNASCA advocates on behalf of the ASC industry at the Legislature and with key state agencies. Each year, the association hosts a "Day on the Hill." This is an opportunity for MNASCA members to visit the Capitol and meet with legislators to discuss issues of importance to their facilities as well as to the association. Meetings are scheduled with both local legislators and health care leaders.

Each year, MNASCA identifies and analyzes critical issues affecting ASCs and acts on behalf of members to enhance and protect the ASC's ability to provide high quality, cost-effective patient care. Priorities for the 2017–2018 legislative session currently include:

- Workers Compensation payment reform for ASCs.
- Support phasing out the Provider Tax by 2019.
- Oppose any market restrictions on ASCs, such as certificates of need or moratoriums.
- Support legislative changes to address contracting issues and transparency with payers.
- Monitor scope of practice changes for nurses, chiropractors, and athletic trainers.
- Participate on behalf of ASCs in the Minnesota Department of Health (MDH)'s X-ray rule modifications process, particularly around CT, MRI, and use of fluoroscopy.

The association also helps their member facilities organize legislative tours and fundraisers at their centers. These events are great opportunities to introduce legislators to their facilities, provide information about the practice, and discuss issues of importance to physicians and staff. It is also an opportunity to provide legislators with more information about the association's work at the Capitol and within the health care community. Funds raised help support the association's political action committee (PAC).

"Being a member in MNASCA allows ASC leaders to stay informed of key legislative issues which can impact operational and growth strategies. MNASCA has provided us that voice to ensure laws are scrutinized so that we can be proactive in addressing any downstream impact to the delivery of care to our patients," said Simmons.

MNASCA holds an annual conference intended to connect leaders in the ASC industry with key stakeholders and partners in the health care community. This conference provides members with continuing education, enabling them to stay current on key topics and issues affecting ASCs. MNASCA's 2018 Annual Conference will be held October 11–12 in Bloomington.

"The MNASCA conference brings together the right mix of people from the ASC industry to discuss the latest on regulatory hot topics and changes," said Kari Scholz, RN, BSN, Quality Improvement Team Leader, St. Cloud Surgical Center. "The high quality of the speakers and seniority of other attendees are essential for gathering information and discussing issues we are faced with each day."

ASCs [focus] on providing same-day surgical care, including diagnostic and preventive procedures.

Accomplishments

Founded in 2006, MNASCA has enjoyed many achievements:

- The association successfully opposed legislative attempts to implement market restrictions on ASCs, such as moratoriums and Certificate of Need.
- MNASCA partnered with key health care stakeholders to pass legislation phasing out Minnesota's Provider Tax by the end of 2019.
- Led a successful effort to clarify the Supplemental Nursing Service Agencies statute to allow ASCs to hire temporary professionals, such as CRNA locum tenens.
- The association worked to pass legislation addressing provider exclusions or narrow networks to allow provider recourse with insurers, such as ability to appeal.
- MNASCA successfully negotiated language on a Surprise Billing provision that will allow appropriate reimbursement for ASCs in these unique situations.
- Successfully opposed physician "non-compete" legislation that would have negatively impacted ASCs and specialty practices.
- MNASCA supported ASCs in rulemaking processes with the MDH addressing ASC operating room regulations.
- The association participates on behalf of ASCs with the MDH on major X-ray Rule modifications.

Ambulatory surgery centers support a variety of specialties.

The future

ASCs will continue to play a vital role in the delivery of surgical care while technology and medical advancements will continue to expand the types of procedures performed in the ASC setting safely and cost effectively. As an organization, Simmons says MNASCA wants to continue to play a key role in quality, value-based care models.

"We have several goals that will continue to shape our association's future. We will continue to place a premium on getting exposure at both the state and federal level by educating our lawmakers on the quality and cost benefit ASCs provide," Simmons said.

"We also want to continue to support our members with education opportunities via our annual conferences as well as our benchmarking efforts to assist with best practice. In addition, we will be looking for additional networking opportunities for our members so that

existing relationships can grow, new connections can be made and resources are available, all of which will all ultimately lead to better patient care."

Tom Poul, JD, serves as the legal legislative counsel for MNASCA, representing and advising the association on policy and political issues before the state legislature, executive branch, and state agencies. He is a shareholder at Messerli | Kramer and a member of its Government Relations team.

Rachel Stuckey serves as the executive director of MNASCA, and is a legislative coordinator with Messerli | Kramer's Government Relations division. Rachel provides support to a variety of clients through issue research, legislative committee monitoring, and association management. 