Managing the risks of on-site health centers

Executive Summary
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Abstract
This review sought to assess compliance concerns, determine risk management strategies, and identify opportunities for future research to contribute to employers' understanding of the laws and regulations that apply to on-site care. A comprehensive review of databases, professional organizations' websites, and journals resulted in 22 publications reporting on the consequences of noncompliance among on-site health centers accepted for inclusion. None of those studies reported a study design or quantifiable outcome data. Two noncompliance themes were repeated among the publications. First, direct penalties included fines, civil actions, loss of licensure, and, potentially, criminal charges. Second, noncompliance also resulted in indirect costs such as employee mistrust and lowered standards of care, which jeopardize on-site health centers' ability to demonstrate a return on investment. Further research with rigorous methodology is needed to inform employer decisions about on-site health services and associated risk management.

Background and Aims
To reduce the healthcare costs while continuing to provide high quality healthcare, many employers are establishing onsite clinics that offer a range of preventive and primary care services. Even if these clinics are managed by a third-party vendor, employers have final responsibility for ensuring that the onsite clinics abide by all applicable laws and regulations. To contribute to employers' understanding of these issues, this review sought to assess compliance concerns, determine risk management strategies and identify opportunities for future research.

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Methods
A comprehensive review of reference databases, as well as the websites and journals of professional organizations (both health services and business), was performed. Publications reporting on the consequences of noncompliance among onsite clinics were included in the review. Accepted publications were abstracted into an evidence table and included in the data interpretation.

Results
Of the 2,615 publications initially identified through the reference database search, as well as others from an internet search and websites/journals of 39 organizations, 22 references were accepted for inclusion. None of those studies reported a study design or quantifiable outcome data, with most publications classified as journal editorials/reviews (55%) or magazine/newspaper articles (32%).

Eight distinct categories of compliance topics were identified and assessed:
- Privacy violations
- Corporate practice of medicine (CPOM)
- Inadequate medical record documentation
- Health savings accounts (HSA) eligibility
- Workers’ compensation
- Referrals

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Regardless of topic, two noncompliance themes were repeated among the publications. First, direct penalties included fines, civil actions, loss of licensure and, potentially, criminal charges. Second, noncompliance also resulted in indirect costs such as employee mistrust and lowered standards of care, which jeopardize onsite health centers’ ability to demonstrate a return on investment.

That is, if employees do not seek care at the worksite or if they experience inferior outcomes, employers will not achieve the benefits otherwise gained from having an on-site health center.

Limitations
The results of this review should be interpreted with caution. Variation in state laws, publication dates and onsite health center management models resulted in the inability to define a broad set of laws that apply to every onsite health center. Moreover, because no systematic or scientifically-validated studies were identified and self-reported accounts of noncompliance may have been underreported, it was not possible to comprehensively catalog all relevant legislation. Similarly, because many of the publications lacked a detailed description of the consequences of noncompliance, few specific penalties were determined and these could not be compared across publications.

Conclusions
Due to their potential economic and clinical benefits, on-site health center are an emerging trend. To avoid consequences for noncompliance and ensure the success of these clinics, however, employers need to be mindful of all applicable laws and regulations. Further research, of a high methodological caliber, is needed to facilitate employers’ ability to make informed decisions about risk management strategies. Specifically, systematic reviews, surveys, economic analyses and publication plans would contribute to the understanding of onsite compliance.

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