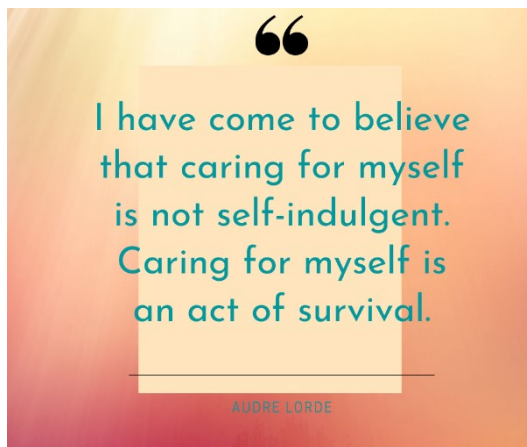




## September 2021 Newsletter

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So much has happened since my last Newsletter I don't know where to begin – the increased rise in Delta and the development of Mu, wildfires, earthquakes, tornadoes, hurricanes, and massive flooding to name just a few of the issues we and those we serve have been faced with in recent months and weeks. As I write this, I am keenly aware that yesterday our nation is marked 20 years since the 9-11 terrorist attacks.

Mental health clinicians have been on the front lines helping clients and communities cope with various disasters, emergencies and tragedies since the inception of our respective professions. While the method of service delivery may have changed, the work, our mission and our commitment to our clients, communities and our professions hasn't.

### **Did you know that September is Self-Care Awareness Month?**

Self-care for clinicians has always been important, but somehow, now, I feel that it is something we can't and shouldn't put on the back burner any longer. Remember, self-care is not selfish, decadent or a luxury. It is crucial for our overall personal, professional, mental, physical and spiritual health. Without it, we cannot effectively support our clients through their healing journeys. To facilitate incorporating self-care into your daily practice, check out this article and self-care calendar from **The New Social Worker** @ <https://www.socialworker.com/feature-articles/self-care/september-2021-self-care-awareness-month-daily-doses-self-care/>

### **Advocacy Efforts**

The Clinical Social Work Association has several key opportunities to support their advocacy efforts Click on the links below to learn more and to get involved if you so choose.

CSWA urges its members to “consider signing the petition prepared by Texas social worker Dr. Monica Faulkner, PhD, LMSW, <https://www.change.org/p/texas-legislative-executive-and-judicial-leadership-i-stand-with-social-workers-demanding-their-constitutional-rights-be-upheld?signed=true> known as the Texas Heartbeat Act (Texas SB 8). This law, which went into effect on 9/1/21, in addition to placing restrictions on abortions, criminalizes the participation of anyone who “aids and abets” a woman seeking an abortion. It is unclear if mental health clinicians will be included in those who can be sued for discussing abortion or providing resources that include abortion as a part of reproductive health, pregnancy and family planning. Click here for the full text <https://capitol.texas.gov/tlodocs/87R/billtext/html/SB00008E.htm>

In July, the Centers for Medicare Services posted changes to the rules that govern the Physician Fee Schedule (PFS). “This proposed rule updates payment policies, payment rates, and other provisions for services furnished under the Medicare Physician Fee Schedule (PFS) on or after January 1, 2022” <https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/PhysicianFeeSched>

CSWA continues to vigorously advocate for fair and equal pay for social workers, as well as fight for the rights and benefits for Medicare beneficiaries. CSWA urges social workers, as well as members of the other helping professions to review the proposed changes and send comments to CMS by **tomorrow, September 13, 2021** to <https://www.federalregister.gov/documents/2021/07/23/2021-14973/medicare-program-cy-2022-payment-policies-under-the-physician-fee-schedule-and-other-changes-to-part>

Read the full rule proposal here <https://www.cms.gov/medicare/medicare-fee-service-payment/physicianfeeschedpfs-federal-regulation-notices/cms-1751-p>

Key areas of interest to mental health professionals and Medicare beneficiaries include permanent telemental health coverage and parity reimbursement for telemental health services. **Even if you are not a Medicare provider, these proposed rules will impact EVERYONE, as major insurance carriers typically look to CMS to set industry standards and follow suit.**

## Resources

### **NASW’s Clinical Social Workers in Private Practice: A Reference Manual**

I am told that this long-awaited comprehensive document that is sure to set the standard of care for all private practitioners, not just social workers, will be released by the end of 2021. In the meantime, read below to see how you can access audio sneak peaks.

The International Federation of Social Workers has recently published a **FREE** resource for clinicians entitled, "Pandemic Ethics: A Resource for Social Work Students, Educators and Practitioners". "This resource comprises vignettes depicting ethical challenges faced by social workers internationally during the COVID-19 pandemic." (pg. 4). It is an interesting read and is bound to spark a lively dialogue for training purposes in the classroom, during supervision/consultation and as a part of continuing education programs or as an individual tool for self-reflection. Download your FREE copy here @ [https://www.ifsw.org/pandemic-ethics-a-resource-for-social-work-students-educators-and-practitioners/?utm\\_source=News+signup&utm\\_campaign=7023e981a3-RSS\\_EMAIL\\_NEWS&utm\\_medium=email&utm\\_term=0\\_f1659bc18d-7023e981a3-81762894](https://www.ifsw.org/pandemic-ethics-a-resource-for-social-work-students-educators-and-practitioners/?utm_source=News+signup&utm_campaign=7023e981a3-RSS_EMAIL_NEWS&utm_medium=email&utm_term=0_f1659bc18d-7023e981a3-81762894)

### **New Jersey Clinicians**

New Jersey Licensed Mental Health Professionals may soon have to complete at least 1 CEU around the issue of sexual misconduct. See Attorney General Administrative Executive Directive No. 2021-3

[https://www.nj.gov/oag/dcj/agguide/directives/ag-directive-2021-3\\_DCA-Sexual-Misconduct-Prosecutions.pdf](https://www.nj.gov/oag/dcj/agguide/directives/ag-directive-2021-3_DCA-Sexual-Misconduct-Prosecutions.pdf)

and the Board Of Social Work Examiners Public Session Meeting Minutes 8:30 A.M. May 12, 2021 <https://www.njconsumeraffairs.gov/sw/Minutes/Social-minutes-051221.pdf>

### **Professional Development**

#### **Leslie S. Tsukroff, Inc.**

On Saturday, September 25, 2021, I will be presenting "Are You Ready for An Audit? Diagnosing, Documenting, Billing, and Coding in Private Practice" as a live, interactive webinar on Zoom. This workshop focuses on identifying and avoiding fraudulent behaviors in your practice, including but not limited to issues related to:

- Financial aspects of your practice such as fee setting, waiving of co-pays, deductibles and co-insurance, sliding scales, financial policies
- Inaccurate billing, diagnosing and documentation such as upcoding, downcoding, miscoding, overdiagnosing, underdiagnosing
- Documenting telemental health sessions and diagnosing, coding and billing when working with couples

#### **The Details**

Date: Saturday, September 25, 2021

Time: 9:00-3:00 (two 15-minute breaks in addition to a 60 minute lunch break)

Format: Zoom, live, interactive webinar

Cost: \$125.00

CEUs: 5 Ethics CEUs for Social workers (except for NY and W. Virginia) through the ASWB Individual Course/Conference Approval Program.

CEU Statement: Are You Ready for An Audit? Diagnosing, Documenting, Billing and Coding in Private Practice, Course #3491 is approved by the Association of Social Work Boards (ASWB) Approved Continuing Education (ACE) program to be offered by Leslie

S. Tsukroff, MSW, LCSW as an individual course. Individual courses, not providers, are approved at the course level. State and provincial regulatory boards have the final authority to determine whether an individual course may be accepted for continuing education credit. ACE course approval period: from 02/12/21 to 02/12/2023. Social workers completing this course receive 5 ethics continuing education credits.

Recorded version: For those who are unable to attend the live event, this webinar will be recorded and will be offered for a rental price of \$100.00, which will include downloadable PowerPoint slides. The recorded version will be posted on the website by October 1, 2021. The recorded version is not CEU eligible.

### **The Clinical Social Work Association**

**Attention Clinical Social Work Association members. Join** Laura Groshong, LICSW, CSWA Director Policy and Practice, Mirean Coleman, LICSW, NASW Clinical Manager and myself for an hour-long webinar featuring an overview of **NASW's Clinical Social Workers in Private Practice: A Reference Manual**, which Laura, Mirean and myself and 4 other volunteers drafted over a 3 year period. I will be highlighting several sections which I authored including disaster and emergency planning, preparing your practice for retirement, professional will development, and important factors when working with minors. This webinar is free to CSWA members. It is not eligible for CEs and it will not be recorded.

<https://www.clinicalsocialworkassociation.org/event-4479280>

If you are an NASW member, you can access NASW's audio version of "**An Overview of the New Private Practice Guidelines**" which was the featured presentation during the June 16, 2021 An Hour with Private Practice

<https://www.socialworkers.org/Practice/Clinical-Social-Work/Billing-Codes/An-Hour-With-Private-Practice>

### **The New Jersey Association of Women Therapists**

On Friday, October 15, 2021, from 10:30 AM-12:00 PM NJAWT will be hosting a virtual Conversation Hour panel discussion entitled "Navigating the Challenges of Being a Parent and Parenting Our Own Children." This is a member's only event and CEUs are not offered.

Sunday, November 14, 2021 from 7:00-8:45 PM, NJAWT will be hosting their Fall General Meeting entitled, "Using Mind/Yoga Techniques to Combat Compassion Fatigue," which will be presented by Suruchi Saini, MA, LPC, CCTP, CYT. Pre-registration is required. This event is free to members. Non-members are welcome to attend 1 complementary (non-CEU) General Meeting to "test out" the organization. To learn more about membership, please visit <https://www.njawt.org/>

### **The New Jersey Society for Clinical Social Work**

On Sunday, September 19, 2021 NJSCSW will be hosting a CEU event on Zoom from 11:00 AM to 2:00 PM entitled "Depolarizing Within," presented by Braver Angels. It is free to members, and \$60.00 for non-members. For more information and to register, contact Jan Markham: [jan@1destin.com](mailto:jan@1destin.com) or visit <https://njscsw.us/ContinuingEducation.aspx>

## **Ethics Matters**

The following question was raised during my last presentation of "Are You Ready for An Audit? Diagnosing, Documenting, Billing, and Coding in Private Practice". Join me on September 25<sup>th</sup> for a live, interactive, encore presentation.

<https://www.leslietsukroff.com/are-you-ready-for-an-audit>

Clinician: If I want to offer my client a reduced rate, can't I just bill the insurance company at my full fee and then just accept what the insurance pays me?

Short answer: Not necessarily. This practice may constitute insurance fraud.

Background: Some clinicians may want to offer clients who might be otherwise unable to access quality mental health services a reduced rate and the most acceptable way of doing this is to establish a sliding scale. "The concept of a sliding scale is not a new one. Agencies, hospitals, organizations, and private practitioners have been offering them in one form or another since the inception of social work and other helping professions." NASW Private Practice Guidelines (proposed publication date 2021). While offering a sliding scale is not a mandate, most of our professional Codes of Ethics support the use of a reduced rate to assist clients who find the clinician's established rate temporarily or permanently unmanageable.

This topic is multifaceted, and often requires thoughtful planning and a clear understanding of the ethical and legal implications, as well as the potential benefits of introducing a sliding scale into one's practice. Factors to be considered when developing a sliding scale policy include, but are not limited to: eligibility requirements; methodology of determining reduced rate; length of eligibility; criteria and documentation for participation; applicable state and federal laws; existing contracts with insurance companies. To maintain ethical, fair and equitable practices, clinician who offer reduced fees should base these discounts on an established, standardized sliding scale that is applied to all clients who qualify for a rate reduction,

Longer answer: For out of network or private pay private practices, clinicians are cautioned to avoid allegations of fraud by discounting or reducing the total fee, rather than waiving the client's portion of the co-insurance. Both the insurance company and the client should receive their proportional share of the reduced fee. For example, if your standard OON rate is \$150.00 and after consulting your standardized sliding scale rates, your client meets the criteria for a reduced rate of \$100.00, then that is the fee

that you charge the insurance company and/or the client. This ensures that both parties (the client and the insurance company) equally benefit from the fee reduction.

*This document is for general informational purposes only and is not intended to be used as advice (legal, ethical or technical) or as a substitute for the guidance of an attorney or an individualized consultation. It does not address all possible clinical, legal and ethical issues that may arise, nor does it take into consideration the particular circumstances, nuances or concerns of the situation or person(s) involved. Leslie S. Tsukroff, Inc. does not assume any responsibility or liability for any errors or omissions in its content.*

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