



Connecting practices to
EMERGING TRENDS.

A GUIDE TO PRACTICE RELOCATION

As the nation’s leading medical malpractice insurer of physicians and surgeons, The Doctors Company has observed a rise in physician mobility—whether for lifestyle or practice reasons. We created “A Guide to Practice Relocation” to prepare doctors and practice managers for the transition and ensure a successful relocation.

This checklist is a general guideline. Because the field of healthcare law is complex, highly regulated, and subject to frequent changes, you should consult with your legal counsel for requirements specific to you.

1. HAVE A PLAN

Your first priority is finding the right office space. Whether you plan to lease or own, contact a commercial real estate agent/broker who specializes in medical office space. It’s important your Realtor understands the unique requirements of a medical practice for meeting patient safety and regulatory compliance needs.

When you’ve selected your new office space and date for moving, you are ready to begin the process.

2. DETERMINE YOUR INSURANCE NEEDS

If you change carriers and policies when you move, you can choose a tail policy with the expiring carrier or nose coverage with the new carrier to ensure that any claims made after you move—and change or open a new policy—are covered.

With nose coverage, the insurer agrees to cover claims made during the policy period based on events that occurred prior to the inception date of the policy. Tail coverage, purchased under your previous policy, provides insurance for a covered event that occurred during the policy period even if the claim is not reported until later.

It’s also important to make sure your practice is protected against fast-growing business threats, including claims made by current, former, and prospective employees; cybercrimes and data breaches; and government audits and reviews.

Contact your insurer or agent to ensure your coverage meets evolving business and clinical needs and to get copies of any necessary forms.

3. NOTIFICATION OF RELOCATION

- ▶ Notify patients—both active patients currently in treatment and patients seen within the last six months to a year—of your move and provide them with a list of several physicians that they might choose to receive care from in the future, along with your new address and contact information. Improper patient handoff and notification can create malpractice liability risks.
 - ▶ Work with your peers to create a list of recommended physicians that you can give to your patients.

Founded and led by doctors, The Doctors Company is uniquely aligned with physician interests and fiercely devoted to protecting and advancing the practice of good medicine. Use this checklist to help create a smooth transition into your next location.

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- ▶ Ensure that patients understand that it's their decision whether to seek care from any recommended physicians/providers.
 - ▶ In some circumstances, terminating a physician-patient relationship could pose liability risks. Termination of the relationship should be delayed in these circumstances, including ending care when a patient is in the acute phase of treatment—immediately postoperative or in the process of a workup for diagnosis.
 - ▶ If you are the only source of medical or dental care within a reasonable driving distance—or if you are the only provider of a particular specialty—you may need to continue care for your patients until other arrangements can be made.
 - ▶ Notify employees of your plans to relocate so that they may seek alternate employment or make plans to move with you.
 - ▶ Write a short script announcing your move and the practice closure or relocation that your staff can use when discussing the issue with patients on the phone. Also, change your office's voicemail message to announce the date of the practice closing or relocating. Be sure to include any new contact information. You can also announce your move on your website and any social media accounts.
 - ▶ Notify your business and contracted associates of your address change. These include affiliated hospitals, healthcare plans, and hospital referral services. Also, notify vendors, suppliers, and utility providers, including phone and Internet service providers.
 - ▶ Send written notification of relocation via certified mail to any payers with whom you participate. Review your agreements to ensure you do not have a continuation of care obligation.
 - ▶ Before discharging patients who are members of prepaid health plans, you must contact the third-party payer to request a transfer of the patient to another practitioner.
 - ▶ Notify the American Medical Association and any local, county, state, or specialty societies to which you belong.
 - ▶ Evaluate the terms of the lease of your office space and give appropriate notice to your landlord.
 - ▶ Notify community entities, including local hospitals, the post office, and banks, of your address change.

4. GOVERNMENT AGENCY NOTIFICATION

- ▶ Verify state laws about medical licensing. If you need to obtain a license or a second or subsequent license in another state, plan for at least 60 days from when you submit your completed application.
- ▶ Send written notification of your move, including the effective relocation date and your new contact information, to Medicare, Medicaid, and the Drug Enforcement Administration (DEA).

Medicare/Medicaid: [cms.gov](https://www.cms.gov)

DEA: [dea.gov](https://www.dea.gov)

- ▶ Notify the National Government Services Provider Enrollment office of your relocation by sending a certified letter to:

National Government Services, Inc.

PO Box 6230

Indianapolis, IN 46206-6230

- ▶ If you have a National Provider Identifier (NPI), notify the National Plan and Provider Enumeration System (NPPES) of your move within 30 days of the effective date by phone, e-mail, mail, or the NPPES website:

Phone: (800) 465-3203

E-mail: customerservice@npienumerator.com

Mail: NPI Enumerator

PO Box 6059

Fargo, ND 58108-6059

Online: nppes.cms.hhs.gov

5. MEDICAL RECORDS

When you close or relocate your practice, you are responsible for making appropriate arrangements for the disposition of all medical records—regardless of whether the records are in paper or electronic format. The possibility of a lawsuit after you relocate or your practice closes always exists. To defend yourself against any future claims, the proper retention and security of records is crucial.

- ▶ Ensure that a procedure is in place for your patients to obtain copies of their records after your practice closes, or ensure that the records are transferred to another practitioner.
- ▶ Along with your patient notification of relocation letter, send patients a HIPAA-compliant authorization form to release medical records, with an option to copy the records to the patient.
- ▶ Make arrangements for proper storage, transfer, or destruction of the records.
- ▶ Ensure that you have access to the medical records during your transition and relocation.

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- ▶ Check any signed HMO or managed care agreements to ensure you are in compliance with the medical records retention requirements of those agreements.
 - ▶ Adopt a dissolution plan and file appropriate certifications and forms with the state and federal governments.

The Doctors Company offers expert insights on medical records and documentation, including retention and accessibility when closing a practice. Visit thedoctors.com/patientsafety and choose Medical Records and Documentation from the Topics menu.

6. MEDICATION INVENTORY

Any inventory of drugs must be disposed of, sold, transferred, or donated in accordance with federal and state requirements.

- ▶ Visit the DEA website deaddiversion.usdoj.gov/drug_disposal/index.html to check federal requirements for disposal of unused drugs or drug samples.
- ▶ Contact your state Department of Health (DOH), Bureau of Controlled Substances to check state requirements for disposal of unused drugs or drug samples.

7. LEGAL MATTERS

- ▶ Consult with your legal counsel to ensure you are aware of any regulations, requirements, or other steps you should take to make your move a success.
- ▶ Adopt a dissolution plan and file appropriate certifications and forms with the state and federal governments.

8. SET UP YOUR NEW PRACTICE

- ▶ Find the right professional movers with experience moving a medical practice and familiarity with state and federal guidelines pertaining to moving medical facilities and transporting medical equipment. They should also have technicians who specialize in disassembling, reassembling, and testing sensitive equipment at the new location. To alleviate HIPAA concerns and reduce your liability, you should have movers sign a Business Associates Agreement.
- ▶ Don't forget to order printable materials, such as appointment cards, prescription pads, and letterhead with your new address at least two months in advance. Also, order any signs necessary, including those for the front office door and exam rooms.
- ▶ Arrange to have phones transferred and the new office set up before your first day. Do a walk-through and new-office orientation to resolve any issues.

PROTECTING PRACTICES AGAINST EMERGING RISKS IS JUST ONE WAY WE'RE TAKING THE MAL OUT OF MALPRACTICE INSURANCE.

Founded and led by physicians, The Doctors Company is relentlessly committed to advancing, protecting, and rewarding the practice of good medicine. The Doctors Company partners with practices of all sizes to help them manage the complexities of today's healthcare environment by providing expert guidance, resources, and coverage. The Doctors Company is the nation's largest physician-owned medical malpractice insurer, with 79,000 members and over \$4 billion in assets, and is rated A by A.M. Best Company and Fitch Ratings.

As healthcare evolves, our commitment to our members is unwavering. The Doctors Company offers groundbreaking solutions and flexible coverage to protect your practice and the business of medicine, with options including MediGuard® regulatory risk coverage, CyberGuard® cyber liability protection, Employment Practices Liability Insurance (EPLI) for employment-related claims, and solutions for large groups and nonstandard risks.

The Doctors Company's dedicated patient safety and risk management team helps you avoid claims, rigorously analyzing emerging trends in medical liability and developing innovative tools, information, and programs to reduce risk and enhance safety.

Today, more than ever, you can't afford to be wrong in your choice of insurer. Visit thedoctors.com or call **800.328.8831** to get a quote and see how affordable coverage is in your new area.

