

A Manager's Perspective

Compliant Competence

Peter R. Kovacek, PT, MSA

As managers, we spend quite a bit of our time assessing competence and/or assessing compliance with certain requirements of our practice environment. We need to understand each of these activities and their similarities and differences. First let's define some terms.

What is assessment?

- ?? The act of assessing; appraisal. ¹
- ?? An amount assessed, as for taxation. ¹

The Guide to Physical Therapist Practice ² defines assessment as:

“The measurement or quantification of a variable or the placement of a value on something. Assessment should not be confused with evaluation or examination.”

According to the APTA Section on Administration, assessment is a basic requirement of all therapists, not just those whose title is manager or supervisor ³. As we function in our dynamic environment, we constantly assess the changes that surround us – including those in our patients and our co-workers.

What is compliance?

- ?? The act of complying with a wish, request, or demand; acquiescence. ¹
- ?? Willingness to follow a prescribed course of treatment. ¹
- ?? A disposition or tendency to yield to the will of others. ¹
- ?? Extension or displacement of a loaded structure per unit load. ¹
- ?? Flexibility. ¹

In the context of management of a physical therapy service or practice, compliance often refers to following the rules and regulations that govern and define our practice. This includes local, state and federal law, regulatory agency rules and other “standards” of commonly accepted practice. Compliance deals with issues that keep us out of trouble and assure a minimal standard of practice. However, minimal standards do not promote excellence for our patients. These standards merely attempt to prevent inadequate care. Prevention of inadequate care is something that should never be confused to good care.

What is competence?

- ?? The state or quality of being adequately or well qualified; ability. ¹
- ?? A specific range of skill, knowledge, or ability. ¹
- ?? *In legal terms*, the quality or condition of being legally qualified to perform an act. ¹

Compared to compliance, competence is much more challenging to measure and promote. Competence involves developing highly tuned skills that are appropriately used in the care of our patients. Competence is very closely related to quality care and outcomes management. It is the ABILITY to be successful in an endeavor.

As we examine these concepts further, several key questions come to mind:

1. To what requirements do we have to comply?
2. Why are we all so darn compliant?
3. Do we recognize competence when we see it?

The requirements that we must adhere to are many and varied. We must make sure that not only our behaviors, but also those of all employees and contractors in our

practice, do not violate any requirements that are imposed on our company by law, regulation or contractual agreement.

Many companies have developed highly evolved "Corporate Compliance" programs to insure that appropriate business practices are followed throughout the company. This is especially important in areas of billing, marketing, physician relations and medical documentation where there may be severe penalties for failure to follow "the rules" set forth by the various governmental agencies and third party payer contracts in our environment. If you have not considered developing a corporate compliance program for the areas that you manage, you probably should.

We tend to focus on compliance more than competence for a variety of reasons. Compliance monitoring, although not simple, is certainly easier than monitoring competence. Compliance is often rather concrete – you are either in compliance or you are not. Additionally, the potential implications of being non-compliance can be severe.

I believe that we have done a decent job with compliance but a terrible job, in many cases, in our attempts to facilitate competence. Competence is not a new idea but it is an idea whose time has arrived.

Unfortunately, there are relative few tools available that help us develop and measure competence in our clinical care. The Guide to Physical Therapist Practice² is one exception, but it is only a beginning in our efforts to address clinical competence. In many cases, managers will need to develop their own tools to define, promote, measure and monitor competence. A major advantage of involvement in our professional associations such as APTA, The Section on Administration, The Private Practice Section and others, is that these groups are collectively working to further the discussion and state of the art of professional competence.

Clearly, the physical therapy competence and compliance story is not fully written yet. Whether we like it or not, the future will bring us increased emphasis on both. We need to

develop skills to succeed in each of these areas.

I'd like to hear your perspective on compliance and competence. We'll publish the best in a future column for all of us to learn from. So what do you think?

Peter R. Kovacek, MSA, PT

In addition to being a regular contributor to Advance and several other publications, Peter is the President of KovacekManagementServices, Inc. and the President of APTA's Section on Administration. You can reach Peter at www.PTManager.com or Pkovacek@PTManager.com.

Originally published 11/1999.

1. The American Heritage® Dictionary of the English Language, Third Edition 1996 [Houghton Mifflin Company](http://www.houghtonmifflin.com).
2. Guide to Physical Therapist Practice, American Physical Therapy Association, 1997.
3. Section on Administration, American Physical Therapy Association, Report of the Task Force on Leadership, Administration, and Management Processes, 1998.