

HEALTH LAW AND COMPLIANCE

The Importance of Having a Solid Job Description for Every Position in the Urgent Care Center

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Urgent message: Having concise, complete, and up-to-date job descriptions for all employees in an urgent care center will pay off with better role performance, fewer employment disputes, and hopefully the elimination of the possibility of legal action.

Introduction

etween 2012 and 2022, according to the U.S. Economic Census, health-care employment is expected to increase by 2.6% annually—or by 5 million jobs. This rate is approximately five times that projected for total employment growth during the same period, 0.5% per year. The health-care sector employed nearly 18 million Americans in 2012 and is expected to account for nearly one-third of all new jobs created between 2012 and 2022—more than in any other industry. The rapid growth of health-care employment only increases the demand for good people in urgent care centers and underscores the importance of having detailed job descriptions to accurately manage expectations and measure performance for every position in your practice.¹

The job roles within an urgent care center are varied and include physicians and physician extenders, registered and licensed practical nurses, medical technicians and assistants, medical coding and billing specialists, and various practice managers or administrators. It is important that as an urgent care owner or operator, you define each role in your center with a job description, which is said to be the key to good organizational design and the first defense against employee lawsuits.

A job description not only sets expectations as to what a job



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Table 1. The Importance of Having a Job Description for Each Position in an Urgent Care Center

A job description is a detailed written document that sets out the significant and essential duties and responsibilities of a specific position in the medical practice. It can be used for

- Job classification and organization
- Communicating the job expectations to the employee
- Recruiting efforts
- Interviewing and narrowing the field of prospective candidates for a new position
- Job evaluation and employee performance
- · Understanding and adjusting workloads
- Clarifying relationships between jobs and avoiding overlaps and gaps
- Assisting with the analysis of compensation rates for staff members
- Defining career paths and opportunities for job growth
- · Creating training and education curricula
- Assisting with employee and organization goal-setting
- Building status, respect, and motivation in employees
- Compliance with government regulations

entails for prospective and existing employees but it also spells out the *specific standards* against which actual work performance can be measured and provides a legitimate, business-related *justification for discipline* when an employee's work is not satisfactory.

Writing a Concise Job Description

Although **Table 1** outlines the varied uses of job descriptions in the urgent care setting, the primary objective of the job description is to provide a detailed and accurate overview of the

¹ Source: U.S. Department of Labor, Bureau of Labor Statistics. http://www.bls.gov/news.release/ecopro.nro.htm. Accessed October 18. 2015.

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Sidebar 1. "Manager of Revenue Enhancement"— An Inappropriate Job Title

One multisite urgent care operation prided itself on its coding expertise—ensuring that documentation was accurate and complete, that documentation supported the level of service provided, that modifiers and other intricacies of coding were understood, and that its staff members knew what codes would be paid by the various payors. Given the importance of the billing department in ensuring that the center was paid for the services it provided—ensuring that no money was left on the table—the operation renamed its billing function "revenue enhancement" and its billing manager "manager of revenue enhancement." When the organization was visited by an outside consultant, the feedback was immediate—that the title must change to "billing manager." The reason? What would Medicare or a private payor assume of a manager whose job title is to enhance patient revenue through the billing process? The implication was upcoding or other types of fraud. The consultant informed the organization that the job title alone created risk.

position. The job description should encompass the type of work and its purpose, the requirements needed to perform the job, and the working conditions. It also should be based on what the actual job is today rather than on the ideal. As you consider the following components, consult or compare descriptions of comparable jobs available on the Internet via the websites of other urgent care centers or job-seeker sites like Monster.com or CareerBuilder.com.

Job Title

The job title should be descriptive and relevant to someone outside the practice, such as "medical billing clerk." Because you are creating a job description, it is best to base a working title for a job on its main role. Consider the conventional titles used in urgent care centers. The job title of "medical billing clerk" is quite transparent: That person processes the billing of medical services for the practice. Avoid using vague or overly specific job titles design a working title that describes both the level of responsibility and role of the position. If you are unsure of the title, it can be decided last, after the rest of the job description is written.

Keep the job title brief and concise. It should be one to three words that accurately articulate the composition, organizational level, and scope of responsibility of the job. Try to keep job titles consistent among employees within the office structure and with comparable places of business. The latter is particularly important when the job is posted online for prospective applicants. Although you may want to recognize your operations director as a chief operating officer or senior vice president, the title "practice administrator" or "center manager" may be more appropriate in a single-center operation.

Job Summary

The header for the job description should contain just a few sentences (fewer than four) that summarize the main points of the job, which may include key responsibilities, functions, and duties; education and experience requirements; and any other pertinent information. This summary can be used when you post the position on the Internet. This part of the job description is also an ideal spot to add—if needed in a larger organization such as a hospital or integrated health system—a brief description of the department, its mission, and how it fits within the larger entity. The summary will be easiest to write after completing the entire job description when you have firmly defined all the details of the position.

Essential Job Functions

At the outset, the hiring manager should determine the essential job functions, which are the foundation of the job description. This component of the job description should be

- Complete with all the functions and duties that were the incumbent's responsibility
- Concentrated on key tasks that are mandatory for getting the job done
- Specific as to the tasks and duties needed to fulfill the responsibilities of the job
- Concisely written in brief sentences for a general audience with little to no knowledge of the job, the department (if applicable), or the medical practice
- Written in terms of the position's requirements, not based on the capabilities of any one individual

Start by creating a list of all the duties, tasks, responsibilities, and activities required by the particular job. Do not include minor or occasional tasks. Some organizations will add the percentage of time for each essential job function. If you do this, make sure that each task is at least 5% of the total job. Functions that amount to less than 5% of the total job should be removed if they are deemed to be nonessential tasks or are grouped with another job function.

In addition to estimating the percentage of time, some experts divide the essential job functions into two other areas: key accountabilities and duty statements. The key accountabilities are the main areas of responsibility within a position, much like essential job functions. Duty statements provide more information about the tasks associated with the key accountability. It is another way to organize your thoughts and collect the significant facts about a position to better convey the complexity, scope, and level of responsibility of the job.

Employers often think that the phrase "and other duties as assigned" at the end of the list is a convenient catch-all for unanticipated tasks or for anything they have forgotten to include in the job description. But this statement should be

avoided because any additional tasks should be reasonably related to the job. For example, asking the phlebotomist in Detroit to shovel snow off the center's walkway at 7:00 a.m. before the office opens may not be the best idea. If these other duties appear to be a larger component of the position, the job description should be updated to reflect their importance.

If you are having problems with the specifics of a particular job description, ask yourself, "If this job did not exist, what work would not get done?" This is a way to thoroughly examine the particular job on its own and as it fits into the entire medical practice.

When you have completed the essential job functions, examine the description to ensure that it includes any other pertinent information so that details on the duties and responsibilities of the position is complete and accurate. Further, you should edit this description to ensure that it is complete and easy to understand. Read the duties and responsibilities of the position as an outsider and not as a person who is familiar with the inner workings of an urgent care center.

Job Qualifications

The job qualifications include the level of education and experience necessary, the supervision received, and the analytical and reasoning skills and ability required for the position.

The education and experience requirements should be spelled out by the specialty and level of schooling (e.g., "bachelor of science degree in nursing"), again without a bias toward a particular person's background. Examine the position in the practice to determine whether specific educational requirements are truly necessary, or whether previous experience, internships, or volunteer work would suffice. The education and experience requirements should be essential to the performance of the daily tasks of the position, rather than merely things that are nice to have.

If the education requirement is placed too high, you may exclude some very qualified candidates when hiring. State any acceptable substitutes, such as a specific number of years of experience in a similar setting in lieu of a college degree or other certification. Say, for example, "two years of experience as an medical office assistant," or rather than saying "a bachelor's degree in finance," say "a bachelor's degree in accounting, finance, business, or related field" when defining the qualifications for a business manager.

Preferred Qualifications

Keep in mind that a job description can include preferred qualifications. These are qualifications that the hiring manager would like the individual currently in the position to possess but are not essential to fulfilling the day-to-day functions of the job.

Working Conditions

The working conditions should describe the location in the prac-

Table 2. Summary of Job Description Components

A job description need not account for every task that might ever be done. The basic format of a job description should include the following items stated in simple form:

- **1. Heading information:** This should include job title, pay grade or range, reporting relationship (by position, not individual), hours or shifts, and the likelihood of overtime or weekend work.
- 2. Summary objective of the job: List the general responsibilities and descriptions of key tasks and their purpose, relationships with customers, coworkers, and others, and the results expected of incumbent employees.
- 3. Qualifications: State the education, experience, training, and technical skills necessary for entry into this job.
- **4. Special demands:** This should include any extraordinary conditions applicable to the job (e.g., heavy lifting, exposure to temperature extremes, prolonged standing, travel).
- 5. Job duties and responsibilities: Only two features of job responsibilities are important: identifying tasks that comprise about 90% to 95% of the work done and listing tasks in order of the time consumed (or sometimes in order of importance). The first task listed should be the most important or time-consuming one, and so on. Employers can cover 90% to 95% of most tasks and responsibilities in a few statements. It is more important to list what must be performed and accomplished than how, if there is more than one way to do it. Being too specific on how to accomplish a duty could lead to issues regarding the Americans with Disabilities Act when an employee asks for an accommodation.

tice where the majority of the work will be conducted (e.g., front office or laboratory), the actual physical position of the individual when performing the work (e.g., sitting, standing), and the extent of any physical labor involved (e.g., assisting patients onto and off an x-ray table).

The working conditions should include the geographic location of the job, because some positions may be home-based or in new urgent care center locations that have not yet opened. Consider that job seekers who see a job posting for your clinic on the Internet may live some distance away.

List any specialized equipment or technology that must be used in the position. Urgent care centers (particularly those that practice occupational medicine) utilize numerous medical instruments, including blood alcohol testers and pulmonary function testers, that require training and, in some instances, certification. Likewise, list any software used (such as Veloci-Doc² or SYSTOC³) if you are looking for individuals skilled with a specific application. Otherwise, anticipate investing more time and effort into training.

² http://www.practicevelocity.com/urgent-care-emr-software/

³ http://www.ulworkplace.com/products/systoc/

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Table 3. Additional Components of the Job Description

- Employee benefits: This is the list of benefits the medical practice offers to its employees, such as vacation, sick time, a 401(k) plan, retirement plan, and insurance. Also, include any unique benefits, such as college tuition reimbursement, paid fitness club fees, or discounted medical services
- Performance standards: A performance standards section is a preference if you have included the key indicators of job performance and the expectations of the job. This section gives the grounds for measuring performance. A performance standard should be tied to each key accountability or essential job function, so that there is information about the expectations of that particular area of responsibility.
- Organization chart: To help everyone understand the role in relation to team members' roles, include a pictorial of the groupings of work, people, and superior-subordinate relationships for all the people involved in the organization.
- Comparable positions: This section may be used to list any positions in the department that have similar responsibilities. Similar positions should be classified consistently to help with financial forecasting and budgets.
- Pay range: Pay is always a sensitive subject. If a pay range is included, make sure that it is indeed a range. Again, keep this consistent with the office structure and prepare to revisit this on the basis of a number of factors, including the economy, the target candidate pool when hiring, competing practices, and industry standards.

One final item is the nature of the relationships and roles within the office, including the reporting structure, whether the position is part of a team, and other working relationships (e.g., interactions with vendors, hospitals, and other medical service providers). **Table 2** provides a summary of essential job description components.

Some human resource experts advocate including several other components in the job description, such as those listed in **Table 3**. These may be helpful in larger organizations, such as a university hospital or for an online job posting. However, for the practicalities of a smaller medical practice, they may be omitted from the job description and reserved for offer letters and job postings.

Job Description Language

The writing in a job description should be kept clear and concise. Do not use the narrative form when writing a job description. Instead, structure the sentences in standard verb-object form with explanatory phrases. The person in the position is the subject of the sentence, so the subject (e.g., "Medical assistant prepares. . .") can be eliminated, like this: "Prepares patients for physician examination by conducting preliminary physical measurements of blood pressure, weight, and temperature, and reporting summary of patient history." Note that the sentence uses the present tense.

The job description is not intended to be a step-by-step guide on how to do a job, but when you find it necessary, you can add explanatory phrases that detail more parameters about a function (such as why, how, where, or how frequently), and add substance and clarity (e.g., "Responsible for all biweekly collection, review, and submission of medical staff time sheets to the Payroll Department").

The job description may leave out unnecessary articles, like a, an, and the, and other words that are not vital to understanding. It should be gender neutral, so use unbiased terminology (e.g., he or she) and construct sentences so that gendered pronouns are not needed.

Finally, refrain from using nebulous adverbs, adjectives, or words that are subject to interpretation, like frequently, numerous, complex, and occasionally, as well as imprecise language like operates, prepares, handles, and is responsible for. Job description language should clearly express the purpose and skills of the job.

Challenges or Pitfalls in Writing Job Descriptions

When someone is not performing as expected on the job, the first place a supervisor and human resources representative should look is the job description. The manager may believe that an employee is not meeting performance standards for the position; hopefully that manager has a clear understanding of the required job functions. If the employee either is not meeting the requirements laid out in the job description or the job description does not describe the task that manager wants fulfilled, there is a problem. The job description failed to achieve its purposes and must be revised with the manager's input. At that point, the manager and employee should review the job description so that both have a clear understanding of the expectations of the position.

A job description is only as good as the extent to which it accurately conveys the content of the job. Research shows that job descriptions are typically deficient in one of the following areas:

- The importance of the job is either exaggerated or downplayed. The job description is worth little and is an ineffective tool if the job is not accurately characterized.
- The job description does not state the essential elements that distinguish a job performance that is successful from one that is not, causing the employee confusion as to expectations and creating no accurate guideline for reviewing job performance.

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- There is a lack of focus on any decision-making aspects of a job, which can cloud the scope of the employee's responsibility and accountability.
- Similar to the other deficiencies described here, frequently a job description lacks detailed job behaviors, failing to specify exactly what the employee is to do and in quantifiable terms.
- Some job descriptions do not genuinely convey the qualifications that are truly necessary for success in the position. This can keep bona fide candidates from applying for a posting, which means that the practice may lose out on potentially great employees and also may be exposed to charges of discrimination. (See the section "The Potential for Litigation.")
- The description talks about the employee instead of the job.
- The description designates identical responsibilities to two different jobs. This can be an issue especially in a smaller practice where productivity is at a premium and duplication of effort can cause a major snag.

The Potential for Litigation

Given the multitude of laws that protect employees in the workplace, it is important to have job descriptions that do not discriminate or lend themselves to discriminatory potential.

Age, race, sex, gender identification, religion, disability, and national origin are the predominant "suspect classes" in employment law, meaning that people in those categories have historically faced discrimination. These categories are protected to different degrees from discrimination in the workplace. A medical practice cannot use any of those criteria (or others) as the basis for not considering or offering an individual a job, unless the requirement is reasonably related to the job. This is called a bona fide occupational qualification. For example, a person's religious beliefs may preclude them from wearing a certain style of scrubs or from working on specific holidays. In relation to the Americans with Disabilities Act, an employer must offer reasonable accommodation to those with disabilities—so again, a job description should focus more on outcomes than on specific methods of completing tasks.

An employer must have a certain number of employees to be covered by the U.S. Equal Employment Opportunity Commission (EEOC) laws. The number of employees varies depending on the type of employer (e.g., a private or public company, government agency, etc.) and the type of discrimination that

Table 4. Overcoming Dangers of Job Descriptions

- The urgent care organization's senior leadership team should start by writing their own job descriptions. There is a great deal of inequity in asking staff members to function under a job description when there are no guidelines or evaluation tools for the management team.
- Never ask a group to write a job description. Groups do not think conceptually, and their discussion of a job description will degenerate into one on mere duties rather than objectives.
- Job descriptions must be kept up to date. They should be reviewed and reworked at least once a year. Job descriptions are not to be left untouched in the file; they are working guidelines for an effective team.
- Each job description should be tailored to the specific culture, needs, and interactions of the center. Using a massproduced or borrowed job description may result in a mismatch among the employee's expectations, performance criteria, and the work environment.
- Job descriptions are tools—a general guideline for the that work one is expected to do-not an officially binding instrument that rules a person's activities.

is claimed. Generally, the EEOC laws cover businesses and private employers that have 15 or more employees who worked for the employer for at least 20 calendar weeks in the current or last year. This is the threshold if a complaint against a practice or other private employer concerns an allegation of discrimination based on race, skin color, religion, sex (including pregnancy), gender identification, national origin, disability, or genetic information.

If a complaint claims discrimination on the basis of age, the business is covered by the laws of the EEOC if it has 20 or more employees who worked for the company for at least 20 calendar weeks (in this year or last). However, practically every employer is subject to the Equal Pay Act. This law makes it illegal to pay different wages to men and women if they perform substantially equal work in the same workplace.

Table 4 provides some additional practical advice in overcoming common dangers associated with job descriptions.

Conclusion

After reading this article, owners and operators of urgent care centers should see the value of creating job descriptions and the perils of failing to do so. Remember, concise, complete, and up-to-date job descriptions for all employees in the practice will pay off with better role performance, fewer employment disputes, and hopefully a decreased possibility of legal action.