

Program Development / Marketing *Partnering* with Business and Industry

Paul A Fontana, OTR, FAOTA
Center for Work Rehabilitation, Inc
Lafayette, LA and Houston, TX with licensed
facilities in Anchorage, AK and St John's,
New Foundland, Canada

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Course Outline

- My background as an OT and as a small business owner
- Partnership w/ Business & Industry: What this really means and strategies to set out to accomplish it
- Utilizing my personal business experience I hope to give you practical examples of things you can do immediately

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Paul A Fontana, OTR , FAOTA

- Occupational Therapist with 33 yrs experience
- Lifelong member of AOTA and state Associations I lived / worked in
- Testified Before US Senate RE: Ergonomics
- Testified Before OSHA on Ergonomics in Nursing Homes
- Served on National Advisory Committee on Ergonomics (NACE) for OSHA
- Accepted as expert in state and federal courts in injury prevention & return to work issues, symptom magnification and ergonomics
- Fellow, American Occupational Therapy Association



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Center for Work Rehabilitation Programs / Services Provided

- Injury Prevention and RTW Programs
 - Physical Job Description Development
 - Realistic Post Hire Assessments Ergonomics
 - Work Conditioning / work hardening programs
 - Functional Capacity Evaluations
 - Back Education and safe material handling training
 - Train the trainer programs
 - Expert legal testimony / witness
- Out Patient Physical Therapy
- Out Patient Massage Therapy
- Fitness Center for general public
- Fitness Programs for corporate customers
- Assist companies with upgrading available industrial injury prevention and RTW programs in their communities

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CWR Customer List


- Drilling and Production companies in GOM as well as St John, Newfoundland Canada and North Slope of Alaska
- All manner of supply companies in oil / gas business
- Mining and manufacturing companies
- Lumber / Timber / Sawmill
- Paper manufacturing
- School Systems
- Offshore and inland water boating / shipping
- Trucking / gas distribution
- Pipeline / utility company
- Legal community
- Municipalities including police / fire departments
- Waste management
- Medical office personnel
- Chemical processing and manufacturing companies

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Al LaCombe, Director of Safety Dupre Logistics LLC. (National Trucking Company)

- "I would recommend the Fontana Center as a pre hire tool for any company wanting to save money. These test have helped to bring on board a healthier employee that perform all essential job task in a safe manner which has helped in reduction in our personal injuries with employees. We together, Dupre Logistics and the Fontana Center, have developed a partnership that if and when we have a problem, that we work toward getting employees healthier to be able to meet the set standards. The bottom line is the money spent up front in the hiring and RTW process is multiplied in overall cost savings with his tools. Paul Fontana and his staff are a key to making this program such a success for our company."

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Paul Fontana, OTR, FAOTA

- 1976 graduate LSU New Orleans: BS
- Work Experience: 1976 - 1979
 - Medical College of GA, OT Program - Augusta, GA
 - Staff therapist VA Hospital: stroke / hand rehab
- Chief OT w/ contract company: RSI - serviced 2 sister hospitals
- Active management training over 2 years
- Assistant Director then Director of Operations for OT / ST
- Medical based OT primarily Medicare funding. Huge changes on horizon in 1984.
- Explored what other areas OT could get involved with. RSI did not want to go in that direction

Two Important things happened to formulate my career.

- I learned the importance of having a mentor
- I learned business principles


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Occupational Therapist as a Businessman / Woman?

- How many of you entered OT or OTA school with the expressed purpose of owning your own business or managing a practice?
- I entered OT school with the intent on being able to treat children! I wanted to be a **clinician** and had no interest in doing anything else at that time
- I didn't understand that to be a good Occupational Therapist and to be able to treat the clients / patients that needed my services I had to understand and utilize basic business principles


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Basic Business Ideas they did not teach me in OT school

- Marketing:**
 - Physicians, nursing & PT had no idea or the wrong idea about OT so I was not able to treat those who needed my services
- Reimbursement:**
 - Without \$\$ those patients that I had a referral for could not afford to be treated by me
- Budgeting:**
 - Without knowing if I was being reimbursed (revenue received) and what my cost were (expenses) I could not justify larger space / equipment to do all OT could do
- Strategic Planning:**
 - Without knowing "what" I wanted to be known as and where I wanted to take the departments, I was floundering


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Path to Starting My Own Business Environmental Changes

- 1984 - 85: DRGs came into being
 - As a company that contracted primarily with hospitals on a split % basis, we saw this could adversely affect our base of operations
 - I explored potential business opportunities OT could expand into - work hardening
- 1985 Met / Mentored by Dr Len Matheson (*Father of WHP*) on Work Hardening concept
- 1986 changes within RSI & RSI decision not to pursue work hardening model led me to decide to leave RSI and start my own practice


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Environmental Analysis Prior to Opening WH Program

- State laws: favorable workers compensation law that would pay for work hardening programs (**Payment**)
- No established work hardening program in Louisiana (**Competition**)
- Physician and rehab nurse / medical case manager interest in "concept" (**referrals**)

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Needs Analysis: For the Services you plan to offer, make sure there is...

- Determine whether there is:
 - Need for the services
 - Does anyone require what you want to do?
 - Who will have to order services (physician referral, business or individual self referral...)
 - Financial reimbursement
 - Insurance or workers compensation reimbursement vs private pay - will anyone pay for what you want to do?
 - Competition
 - What is the competition doing?
 - Is what you going to do substantially different?
- Business Plan
 - What are you going to do
 - Who are you going to service
 - Where are you going to do it
 - What is the reimbursement
 - Where are your referrals going to come from
 - Is it within the scope of practice for Occupational Therapy under the state laws

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Historical Prospective: CWR WHP & FCA: Start Up

- Market Analysis
 - Reviewed workers comp laws and reimbursement issues of all 50 states
 - Two week site visit to Lafayette meeting with vocational counselors, rehab nurses and physicians
 - Realtor – sent specifications on minimum space requirements then reviewed options
- Mailings to key physicians and medical case managers / vocational counselors / rehab nurses and workers comp carriers explaining services
- Set up follow up meetings for when I was set up in Lafayette
- Presentations in their offices explaining what I could do to help them with their clients and why they should use me

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Practical Side

- Did family budget to determine the least amount of money we needed to survive on at home
- Did conservative revenue projection and realistic cost projection for the clinic to see if everything did NOT go according to plan, could we make it work

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Center for Work Rehabilitation, Inc

- 1986 established the Center for Work Rehabilitation, Inc in Lafayette, LA – 1st Work Hardening Clinic in Louisiana
 - 1986 Work Hardening (2,000 square feet climate controlled space)
 - 1987 (4,000 square feet non climate controlled space)
- CWR Mission Statement: To be the number one provider of work hardening and functional capacity evaluations to those I serve.

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To Be an Effective Marketer

- Listen to your potential customer
 - Find out what their needs are (**Listen**) that you as an OT have the skills / expertise to meet
- Develop programs / services to meet those needs
- Be a **problem solver**; and the solution cannot be for them to always simply refer to you
- If all you ever do is recommend they send the client to you, people will not meet with you after the first visit
- Listen to & understand their concerns and needs and marshal your resources to meet those needs or refer them to a credible source of services

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Marketing and Selling Your Services

- Who is really your customer
 - Initially my customer was the physiatrists, medical case managers and vocational rehabilitation counselors who were seeing the injured workers and the insurance carriers that were paying for the services
- I joined and became an active member of the LA Association of Rehabilitation Providers and became a member of the Associations board of directors. This organization consists of rehab nurses and vocational counselors; the folks who would refer clients to me

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Historical Prospective: CWR WHP & FCA: Start Up

- Join appropriate state organizations
 - LA Association of Rehab Professionals
 - S West Claims Managers Association
- Become **actively** involved in the organization
 - Started Acadiana Chapter LARP
 - Chairman and monthly meeting host / program topic planner / coordinator
 - Member of the LARP State Board of Director

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By becoming the LARP District Chairman and Program Coordinator

- Association members get to see me in a leadership position
 - Inference that I provided good services because I was in a leadership position
 - I knew what the issues were first hand
 - I was seen as "the expert" in my area
- Hosting meetings
 - Members came into my clinic and saw my set up every month without me having to market
- Program Coordinator
 - I could ensure that my services were presented whenever competing services were seen
 - I could influence what members heard and saw

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Historical Prospective: CWR WHP & FCA: Start Up

- Open House Presentations
- Gumbo lunch presentations
 - CWR clinic is so different than any of my competitors that I need to get people here to see it first hand. *"Experience the Difference!"*
- Free services – *"Try me & you'll like me"*
 - Free evaluation & treatment of client
 - Free back school
 - Free job analysis and job description
 - Free site analysis of job but no written job description

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Other Marketing Methods To be considered an Expert

- Community Involvement
 - Board of Directors
Acadiana Safety Assoc
 - Speak @ Kiwanis, Rotary,
Lions Club civic
organizations
- Professional OT Association
 - President LOTA
 - VP LOTA and Conference
Chairman
 - Peer respect, referrals
& recommendations
- Needs more than for you to feel that you are an expert.
- *Others have to accept you as an expert* in a certain field of practice.

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Other Marketing Methods

- Medical case managers, rehab nurses, vocational counselors, insurance adjusters, company claims managers, ... *seminars*
 - Objective look at what work hardening, functional capacity evaluations and other return to work options should include
 - Important that this is simply *not a sales presentation* but rather a true look at options available, both the good and the bad

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Center for Work Rehabilitation, Inc Expanded mission statement

- 1979 moved CWR into a 6,000 square foot non climate controlled space and established a separate, free standing PT Practice (there were only 4 free standing PT clinics in Lafayette)
 - Mission statement now included a statement about being the best provider of out patient orthopedic and sports medicine physical therapy services

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1979 – 1991: CWR

- In the Work Hardening and Physical Therapy Business
- 95 % of my reimbursement was medical reimbursement and business was good
- But What did the horizon look like?

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1990 – 1992

Business Environment Changes Again

- Americans with Disabilities Act was being discussed, signed into law and initiated in 1991. As President of LOTA and active with AOTA I was aware of the content of this Act before it was announced
- Manage Care and Cost Containment in Health Care moved to the forefront (Reduced fee schedule)
- Increased competition - now 25 Out patient PT clinics in Lafayette area (100,000 people)
- My current medical business climate was changing for the worst yet I saw the immense potential for growth in the industrial market and the possibility of moving away from medical reimbursement as the primary funding source for the business

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Environment was changing

- Prior to 1991 Employment Hiring Practices
 - Consisted of
 - Medical Physical (cough twice, BP)
 - X Ray of lumbar spine
 - Physician's classified a person based on their X Ray. Depending on "abnormal" backs, a person was given a classification reading of 1, 2, 3, 4, 5.
 - If a person had a class 3, 4 or 5 back they were **denied** employment
 - This was perfectly legal as long as they did not treat a person different based on race, color, creed, national origin, age and sex
- With the New ADA Law: Employment Law Says
 - Employers are not able to make employment decisions based on race, color, creed, national origin, age, sex and disability
 - Made asking medical questions pre hire illegal
 - Employers were very concerned that without the ability to ask about previous injuries, they would be taking on new hires with all sorts of disabilities that were going to quickly show up on their work comp roles, OSHA incident reports and that their insurance costs would make it impossible to stay in business

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Determine needs and develop a plan / programs to meet the needs

- Talk to your customers and find out (listen) what their needs are, what limitations they must work within and what the end result is they are looking for
- Develop a product / service to meet their needs or refer them to someone else who can meet their needs (Become their problem solver) if you cannot
- The more your programs are different / unique from your competitors the more you will stand out, the more your customer will value your expertise. If all you have is a better price, someone will beat it.

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- CWR was unique
 - Only clinic in south Louisiana set up to do realistic job simulation in a non climate controlled environment
- I had a unique method and protocol to evaluate, develop and write quantifiable / measurable physical job descriptions
- I had a core base of industrial customers
 - workers compensation carriers / medical case managers / rehab nurses and vocational counselors
 - who used my work hardening and FCR programs and
 - trusted my recommendations to be fair and honest for all parties involved

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Other Marketing Methods

- Business and Industry Seminars
 - Two day seminar on the Americans with Disabilities Act (NOT a sales pitch)
 - ◆ What does the law state
 - ◆ What you can do and what you cannot do
 - ◆ What should quantifiable job descriptions cover
 - ◆ What should post offer assessments include
 - ✓ Objective look at various types of PHA: pros & cons
 - ◆ How to comply with the ADA

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Changes CWR initiated in 1990 - 1991

- Conscious effort to establish programs to take advantage of ADA requirements on business (Post Hire Assessments) that would reduce my dependency on medical reimbursement and referrals from local physicians
- Established teaching programs for business and industrial customers and therapists outside LA market that would give me credibility and level of expertise in the area of ADA employment issues
- This further helped me market my services to potential customers without making a "sales pitch"

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Value of these "non marketing" educational seminars

- For two days the people I need to meet with voluntarily come to hear me talk about the issues
- I am looked to as the expert in these areas
- I will be their resource in the future
- Name recognition – they now know who I am
- If I was simply marketing my services and not truly giving them all they need to know to make a reasonable decision about what to do then this would not work
- Establishes credibility in the field on broader arena

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Other Marketing Methods

- Professional AOTA Involvement
 - AOTPAAC Board member and Chair – this led to my introduction to staff lawyer for Senator Ensign, ® Vermont about what I do in field of ergonomics
 - ◆ Lead to invitation to testify before U.S. Congress on Ergonomic Initiative
 - ◆ Lead to invitation to testify on behalf of AOTA before OSHA during hearings on ergonomic guidelines for nursing homes
 - ◆ Lead to appointment by US Secretary of Labor Elaine Chao to serve on NACE Committee
 - ◆ Further establishes credentials as the expert on ergonomics in LA

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In today's marketplace

- Your presentation and materials needs to be direct, to the point and prepared to get across quickly "what's in it for them". If they want more, they will invite you to stay
- www.fontanacenter.com Place they can go to get additional information on you
- References in their field or area of concern

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Purpose of a Mission Statement

- Helps to keep the business focused on what their core reason for existence is
- Helps to educate the public what your core business is
- Helps to give all your employees a direction for growth and development

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Center for Work Rehabilitation, Inc Revised Mission Statement

The mission of the Fontana Center is to be recognized as the best provider of injury prevention programs, rehabilitation, return to work programs in the communities in which we operate. Our area of expertise and focus will be:

- Realistic post hiring assessments based on defensible job descriptions.
- Progressive Occupational Therapy, Physical Therapy and Massage Therapy for the treatment of orthopedic and spinal injuries.
- Aggressive, comprehensive Return to Work Programs including Work Hardening, Functional Capacity Evaluations, Ergonomics and on - site Occupational Therapy.
- Education and training programs related to back injury prevention and ergonomics.

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1996 built 22,000 square foot Fontana Center and expanded into fitness programs



Fontana Center, Lafayette, LA

- Physical Therapy Services
- Fitness and Health Center servicing individual and corporate fitness needs



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Fontana Center, Lafayette, LA Industrial Occupational Therapy



Revised mission statement now includes:

- Client focused fitness and health programs.
- Water programs for life - including swimming lessons, aquatic physical therapy and water aerobics.
- Corporate fitness and water survival training programs met my business customers' needs

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To ensure that I remain the company's resource re: new hire & RTW issues

- I attend training programs that do not directly relate to my skills as an OT. (EEOC & OSHA seminars, legal seminars regarding changes in hiring / RTW issues)
- Ensure my products / services change to include new interpretations of law

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Changing Processes and Programs to comply with law revisions

- Shell Western Federal court 1996: Strength testing violates EEOC guidelines, applicant must have chance to retake PHA
- EEOC v. Dial Corporation Federal Court: February '05: PHA cannot be more strenuous than the actual job
- January 5, 2005, U.S. Court of Appeals for the Fifth Circuit ruled that willful concealment of prior back injuries exonerated a maritime employer from liability for alleged personal injury.
- Added discharge component for failures w/ recommendations to improve for retaking of PHA
- Ensure all PHA comply strictly with job requirements
- Ensure procedural changes to include client's initial all aspects of medical history questionnaire, standardize procedures on how the questionnaire is explained to clients to ensure consistency.

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To ensure my areas of expertise

- I **travel** to the job locations to visibly inspect and evaluate jobs
- I **teach** regularly to **trade organizations and legal community** on RTW issues, ergonomics, employment requirements
- Maintaining expertise requires you to be familiar with the worksites of your customers and for them to be familiar with you there.

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Value to Customer Quantifiable Job Descriptions

- ❑ **Recruiters** know the questions to ask
- ❑ Able to implement ADA / EEOC compliant **realistic post hire assessments** so as to ensure the people have the physical capabilities to perform the job before they go to work
- ❑ Have realistic **return to work criteria** to measure each person against
- ❑ **Ensure compliance** with state and federal hiring statutes
- ❑ **Defensible** if challenged

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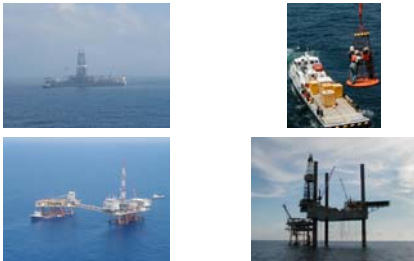
Defensible Job Descriptions:

I travel to the job site and personally assess the jobs

- ❑ Developed through on site job analysis involving personnel hired to perform the job and not just management personnel
- ❑ Validated by personnel doing the job

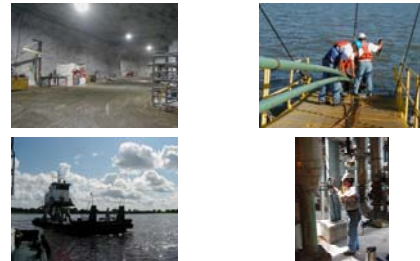
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Offshore drilling and production



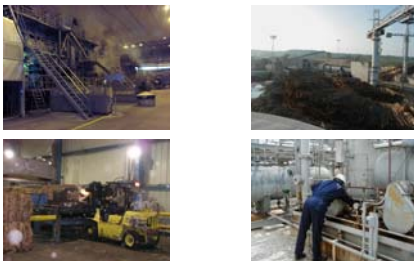
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Mining / Pipeline / Manufacturing



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Paper / Logging Industry Recycle and Chemical Industry



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Construction / Machining



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Office / Professional Jobs



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Network Opportunities

- Build a network of service providers who will give honest, objective opinions that are impeccable and based on facts. Company may not always like our opinions but they know they can **go to the bank with what we say**
- **They trust us to find qualified physicians / therapist they can trust**

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Network Opportunities

- Physician services: Occupational Medicine, Orthopedic and Cardiac Physicians
- Medical Case Managers, Claims Adjusters and Rehabilitation Nurses
- Vocational Counselors
- OT – PT personnel you can trust in areas you don't service

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Reason for a Business to Partner with You

- They have a need that we, based on our training, experience and expertise can meet
- We are **uniquely different** than our competition – either through different services and programs, facilities, expertise,
- We are able to **add something** to the company's injury prevention / hiring and return to work plan that they cannot get somewhere else or on their own
- In a real sense, we become an extension of the Company's hiring, injury management and RTW process

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Partnering with Business

- As partners they do not ask for a discount on my service fees
- My charges in many instances are more expensive than my competition. The companies are willing to pay for it because my expertise backs up the programs and opinions
- They trust us explicitly not to take advantage of this trust (recommend services not needed, keep individuals in therapy too long)

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Partnering: What it really means

- In 2002 I suddenly found myself without a space to house my Houston clinic because of a legal matter with the rental space. I literally was unable to continue operation with 1 weeks notice.
- When I told the VP of Human Resources for the largest drilling company in the world about my problem he put his arms across my shoulder and told me "You and I are partners. We cannot run our business without your operations."
- Within 48 hours he found **8,000 square feet of warehouse they had that we were able to move in to within the week and stayed for 2 years rent free.**

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Value of a True Partnership.

- When a competitor hired several key staff members and began to market to my customers that they had the same programs as CWR, including the same personnel who once serviced them, the VP of Operations said, "But they don't have Paul Fontana and he and his expertise is who we are going to call on to back us up if there is a problem."

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- Expanding a service with an existing customer who is already pleased with your services has the highest potential for success. They already know and trust you
 - My customers were willing to look at ergonomic programs after they saw the benefits from the injury prevention and RTW programs we were providing

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Things you have control over

- Personal presentation – do you dress and act in a professional manner
- Are you prepared for the client you are to evaluate and treat
- Are you staying current on research and treatment approaches
- Do you know the laws / regulations that govern payment for services you provide – educate the consumer
- Is your documentation thorough, complete, organized, neatly written or typed and in correct English / Grammar
- Is your documentation on time
- Is the department neat and orderly / organized
- Do you promptly, courteously greet each customer / client / patient
- Do you listen to their problems / complaints and respond directly to them
- Contact your referral to timely inform him / her of the receipt of the referral / services rendered: brief thank you note / card
- Speak @ civic organization and related trade organization conferences. These are your business leaders

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Other thoughts

- No such thing as a 40 hour work week at the Fontana Center for me
- Your employees will get their time off but you don't always have that luxury.
- If you can, pay as you go. If we cannot afford to pay cash we do without – until I decided to build the Fontana Center (\$ 2 million)
- You do not always get to do what you want when you are in private practice
- If you need to borrow money to run the business be prepared to sign for it personally. Develop a personal relationship with your bank / banker
- Incorporate as a business: either sub S or LLC. This will give you some degree of protection / insulation from lawsuit
- Quarterly payroll taxes
- Hire a good small business CPA and Lawyer who understands your business

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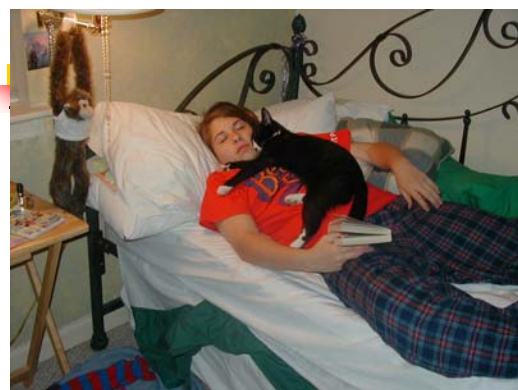
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