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Attorney General Bondi's Office Arrest Medicaid Fraud and Grand Theft Char	100	
Attorney General Pam Bondi News Release Media Contact: Molly McFarlan TALLAHASSEE, Fla. —Attorney General Pam Bondi announced to	day that her office has arrested a West Palm Beach	outside the scope of their license and billing Medicaid for
dentist on charges of Medicaid fraud, grand theft, and employing a license. Dr. Thomas Floyd, 61, surrendered and was taken into General's Medicaid Fraud Control Unit.	custody following an investigation by the Attorney bi	illing Medicaid for
license. Dr. Thomas Floyd, 61, surrendered and was taken into General's Medicaid Fraud Control Unit. "Employing a person to perform duties outside the scope of the	custody following an investigation by the Attorney bi	illing Medicaid for nose services is
license. Dr. Thomas Floyd, 61, surrendered and was taken into General's Medicaid Fraud Control Unit.	person to person would be provided to the person of the pe	illing Medicaid for

Goals

At the conclusion of this presentation, participants will be able to:

- Explain how to document "medical necessity" for dental procedures
- List at least two ways in which a compliance program can benefit a dental practice
- Identify the seven elements of a compliance program and how each element can be applied to a dental practice
- Recall where to report suspected issues of fraud, waste, and abuse

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Medical Necessity

Medical necessity covers "dental care at as early an age as necessary, needed for relief of pain and infections, restoration of teeth and maintenance of dental health."*

*Code of Federal Regulations, 42 C.F.R. § 441.56(c)(2)

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Documenting Medical Necessity

Adequate documentation of medical necessity can help avoid questions about:

- Multiple treatments on the same tooth
- Treatment more expansive than the treatment plan



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Why Is Having a Compliance Program Important?

"All health care providers have a duty to ensure that the claims submitted to Federal health care programs are true and accurate."*



*U.S. Department of Health & Human Services, Office of Inspector General

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Benefits of a Compliance Program

Benefits of an effective compliance program include:

- Ensuring true and accurate claims are submitted
- Identifying and correcting issues before they become big problems
- Placing a dental practice in a better position to respond to oversight agencies



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Compliance Program Goals

Goals of a compliance program include:

- Providing high quality, medicallynecessary services
- Adequately documenting dental services
- Appropriately billing for services rendered



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Compliance Program Elements

The seven elements of a compliance program can be summarized as:

- Written policies
- ② Designation of compliance officer/contact(s)
- Training
- Communication
- Monitoring
- Enforcing disciplinary standards
- Responding promptly

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Written Policies

The written policies of a dental practice should refer to:

- Medicaid program requirements
- · State dental laws and regulations
- · Current Dental Terminology codes

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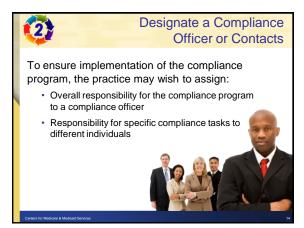
Written Policies—False Claims

Any entity receiving or making payments of \$5 million or more annually under the State Medicaid program must have written policies that provide detailed information on:

- · The False Claims Act
- · Administrative remedies for false claims
- · State laws pertaining to false claims
- Detailed provisions regarding the entity's policies and procedures for detecting and preventing fraud, waste, and abuse
- · Whistleblower protections

This information must be included in any existing employee handbook.

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(3)	Monitoring for Licensure
	enses or certificates are: s performing specified services red by State law



Monitoring for Exclusions

Screening for exclusions is important because:

- Excluded employees cannot participate in Federal healthcare programs
- Federal healthcare programs cannot pay for any items or services that are furnished, ordered, or prescribed by an excluded individual

"Furnished" includes items or services provided or supplied, directly or indirectly.

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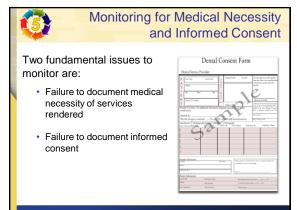
How to Monitor for Exclusions

Ensure you do not employ excluded individuals.

Check the List of Excluded Individuals/Entities at http://exclusions.oig.hhs.gov/ on the U.S. Department of Health & Human Services, Office of Inspector General (HHS-OIG) website.

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Monitoring Other Risk Areas

Some other risk areas a dental practice could monitor may include:

- · Unnecessary pulpotomies
- · Too many or too few X-rays
- · Inappropriate use of protective stabilization devices

This is not an exhaustive or comprehensive list.

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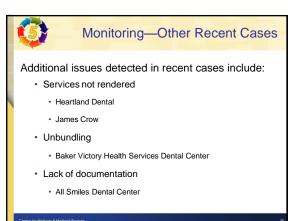
Monitoring—Issues in Recent Cases

Review issues identified in recent settlements and prosecutions. Some examples are:

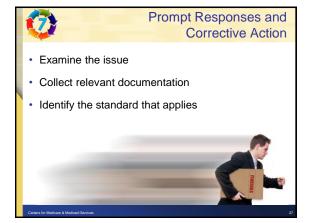
- Unnecessary services
 - FORBA
- Upcoding
 - · Children's Dental Group
- · Patient Recruiting
 - Brooklyn dentist

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Program Integrity Landscape— Federal Agencies

- Centers for Medicare & Medicaid Services (CMS)
 - Payment Error Rate Measurement (PERM) program
 - Medicaid Integrity Contractors (MICs)
- HHS-OIG
- Federal Bureau of Investigation (FBI)
- · Federal prosecutors' offices

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	Program Integrity Landscape—
	State Agencies
	• SMAs
	Medicaid Recovery Audit Contractors (RACs)
7	Medicaid Fraud Control Units (MFCUs)
	State prosecutors' offices

Reporting

Report suspect practices by other providers to:

- SMA
- MFCU
 - Contact information for SMAs and Medicaid Fraud Control Units is available at http://www.cms.gov/Medicare-Medicaid-Coordination/Fraud-Prevention/Fraud-buseforConsumers/Downloads/s mafraudcontacts-aprii/2013.pdf on the CMS website
- HHS-OIG
 - 1-800-HHS-TIPS

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Conclusion

A compliance program can protect your practice by:

- · Ensuring that patients receive high quality care
- Finding and correcting problems before the government does
- Having well-documented files in the event of a government investigation
- Resolving employee concerns before those concerns result in:
 - · A complaint to a government agency
 - · A whistleblower lawsuit

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