



Understanding Fraud, Waste, and Abuse: How it Relates to Agency With Choice

Training Objectives

- Meet the regulatory requirement for training and education
- Provide information on the definitions of fraud, waste, and abuse and how they relate to AWC services
- Explain obligation of everyone to detect, prevent, and correct fraud, waste, and abuse
- Provide information on how to report fraud, waste, and abuse

Your responsibilities as they relate to Fraud, Waste and Abuse:

- **FIRST** you are required to comply with all applicable statutory and regulatory requirements.
- **SECOND** you have a duty to report any violations of laws that you may be aware of.
- **THIRD** you have a duty to follow your organization's Code of Conduct that articulates your and your organization's commitment to standards of conduct and ethical rules of behavior.

Why does this matter?

- The False Claims Act is federal law that imposes liability on persons and companies who defraud governmental programs.
- It is the government's primary method for combating fraud.
- There can be civil and/or criminal penalties for individuals involved in an incident of fraud, waste or abuse.

What is fraud?

- Fraud is defined as “knowingly and willfully executing, or attempting to execute, a scheme or artifice to defraud any health care benefit program, or to obtain, by means of false or fraudulent pretenses, representations, or promises, any of the money or property owned by, or under the custody or control of, any health care benefit program.”
- In other words, fraud is **intentionally** submitting false information to the government to get money or a benefit.

Examples of Fraud:

- Knowingly billing for services or supplies not provided
- Knowingly altering claim forms, medical records, or receipts to receive a higher payment.
- Purposely billing for services that were never rendered or billing for a service that has a higher reimbursement than the service rendered.
- Misrepresenting who provided the services or altering claim forms.
- Falsifying signatures
- Rounding up time spent with an individual

What is waste?



- Waste is defined as “overutilization of services, or other practices that directly or indirectly result in unnecessary costs.”
- In other words, waste is a misuse of resources but is not generally considered to be caused by criminally negligent actions.

Examples of Waste:

- Requesting more services than are needed.
- Continuing to use approved services when they are no longer necessary.

What is abuse?

- Abuse is defined as “actions that may, directly or indirectly, result in unnecessary costs to the Medicare Program. Abuse involves payment for items or services when there is not legal entitlement to that payment and the provider has not knowingly and/or intentionally misrepresented facts to obtain payment.”
- In other words, abuse is submitting false information to the government to get money or a benefit; **however**, unlike fraud, with abuse there is no requirement to prove that abusive acts were committed knowingly, willfully or intentionally.

Examples of Abuse:



- Billing for a non-covered service
- Misusing codes on the claim (i.e., the way the service is coded on the claim does not comply with coding guidelines or is not billed as rendered)
- Providing services in a method that conflicts with regulatory requirements (i.e. not maintaining a 1:1 ratio for a service that requires that ratio)

REMEMBER:

- AWC services are a 1:1 service (sometimes 2:1 if a participant's needs indicate it as such).
 - This means an SSP can only be supporting the participant during that time.
- If a participant receives services outside of AWC, we cannot bill for AWC services for a timeframe that overlaps with another service.
 - Example: Person receives nursing services 3-5PM each day. An SSP is scheduled to start work through AWC at 4:30PM. This **cannot** occur as the services cannot occur simultaneously.

Consequences of Committing Fraud, Waste or Abuse:

- Termination
- Being reported to the Office of Inspector General (which can lead to placement on Medicaid/Medicare exclusion list)
- Fines
- Jail time

How can you help prevent Fraud, Waste and Abuse?

- Make sure you are up to date with laws, regulations, policies.
- Ensure data/billing is both accurate and timely.
- Verify information provided to you.
- Be on the lookout for suspicious activity

What to do if you suspect Fraud, Waste or Abuse:

- Speak up! If you have a feeling something is wrong, do not continue.
- Contact UCP's Compliance Officer immediately so an investigation can be conducted.
- You are required to report.



Thank you for completing the training.

Please remember to complete the Fraud,
Waste and Abuse quiz.

If you have additional questions or need to
make a report related to Fraud, Waste and
Abuse, please reach out to UCP's
Compliance Officer at 877-410-9091 or
compliance@ucpcentralpa.org