

INSIDE THIS ISSUE:

MEET GINNY!	2
MEDIA OUTREACH	3
PROTECTING MEDICARE AND YOU	3
HHS/DOJ STRIKE FORCE	4
PARTNERSHIP DEVELOPMENT	5
MEDICAID	7
ALABAMA IN THE NEWS	8
OPEN ENROLLMENT	8
GLAD YOU ASKED!	9

As a matter of fact!

According to a report by Gorman Health Group, requiring doctors to electronically prescribe medication could save Medicare up to \$29 billion over the next 10 years and prevent up to two million medication errors.

AOA UPDATE

BY BARBARA DIEKER
DIRECTOR OF ELDER RIGHTS

CMS recently invited me to represent AoA in two outreach meetings held with medical provider and supplier organizations, as well as consumer groups, on HHS health care fraud initiatives. I briefed the groups on the SMP program, including history, mission, activities and results and shared the program's new slogan, outreach materials and other resources.

Kim Brandt, Director of the Program Integrity Group at CMS, addressed the groups on the three new CMS fraud demonstration projects designed to further protect Medicare beneficiaries from fraudulent providers of durable medical equipment (DME), infusion therapy, and home health care services.

A good deal of interest in the SMP program was expressed by the provider and consumer representatives present, with some asking how their providers or suppliers may be able to work with SMPs locally to get the anti-fraud message out to the elder clients they serve (representatives of home health services organizations asked how they may help share SMP materials with their homebound clients).

Participants were provided a SMP fact sheet with link to the Center's website; groups were instructed to use the SMP Locator to find SMP's by state. So, "heads up" SMPs—you may be receiving calls from medical provider or supplier organizations seeking opportunities to obtain further information on your program or to collaborate in sharing your materials and message. All in all, I came away with the sense that these organizations, representing legitimate, honest providers and suppliers, were most interested in helping to ferret out those who are giving their profession or industry a black eye!

*On November 1, the title of the office responsible for the SMP Program has been changed from the Office of Consumer Choice and Protection TO the Office of Elder Rights. The roles, responsibilities, staff, and leadership remain the same!

Meet Ginny Paulson

I am delighted to announce that Ginny Paulson joined Hawkeye Valley Area Agency on Aging as Director of the National Consumer Protection Resource Center (The Center) on August 13th, 2007. Ginny is a great match for The Center, she is eager to assist and share her knowledge and experience with you. I am excited to have her return to our staff, Ginny assisted me with the development of outcome measurement efforts for the Iowa SMP program. For the past four years, she has provided Performance Outcome Measurement analytical data services to The Center on a contractual basis. I am certain you will enjoy working with Ginny as much as I do.



Ginny Paulson is the Director of the National Consumer Protection Technical Resource Center

Ginny has been the Iowa Family Caregiver program manager, for the Iowa Association of Area Agencies on Aging (i4a) for the past five years. The program is a collaborative effort of Iowa's area agencies on aging (AAAs) to provide information and assistance, outreach, and education to Iowa's family caregivers. She was responsible for the association's web-site, which has since become the aging information and assistance web-site through Iowa's ADRC project. She was also responsible for staff training in the areas of information and assistance, database maintenance, and caregiver outreach. She coordinated best practices networking seminars, webinar trainings and meetings, and provided one-on-one technical assistance. Additionally, she, participated in state-level collaborations

Previously Ginny was Support Service Coordinator for Hawkeye Valley Area Agency on Aging from May 1998 - October, 2002 her duties included: program development, program evaluation, grant writing, public relations, conference speaking, community and statewide collaboration, team leader, supervision of three refugee outreach staff, supervision of school of social work intern students, database management, budget management, occasional home visits for contract monitoring purposes. In addition to coordinating Hawkeye Valley's nationally funded performance outcome measurement projects from their inception through October, 2002.

I am anxious for you to meet Ginny, until that opportunity arises please introduce yourself and wish her well via email gpaulson@hvaaa.org.

-Shirley Merner

MEDIA OUTREACH: PERFECT PITCH

From scam alerts to general tips for encouraging seniors to protect themselves from health care fraud, SMP projects have plenty of information to offer the media. However, even with all that useful information, it can still be a challenge to catch a reporter's attention and get a story in the news. Here are some tips for effective media outreach:

- *Keep lead times in mind.* Many monthly magazines prefer to receive article ideas several months in advance, while newspapers generally work with a much shorter time frame of about a week.
- *Do your research.* Whether you're considering a newspaper or a magazine for your story, you should be able to read the periodical to determine which reporters specializes in Medicare and/or health care issues. Make sure that you are able to frame the story in a way that makes it relevant to the reporter's work. Once you have a specific target, the efficacy of your outreach will increase dramatically. After you are working with a reporter, find out more about their deadlines so that you can help to keep the story moving (or avoid holding it back).
- *Have a plan of attack.* If you are cold-calling a reporter, practice your pitch before the call. If you leave a voicemail, briefly describe your story without excessive details. After discussing the issues with a reporter, obtain his or her email address so you can send any valuable follow up information. Continual contact with the reporter will help you to build a relationship.

(Adapted from How to Conduct Media Outreach: General Tips for Working with the Media http://www.nhlbi.nih.gov/health/public/heart/pad/materials/media_outreach.html)

Protecting Medicare and You from Fraud

The Centers for Medicare and Medicare Services (CMS) provides a wonderful resource to educate Medicare beneficiaries on how to *Protect Medicare and You from Fraud*. This booklet covers Medicare fraud and identity theft and contains important information on:

- How to protect yourself and Medicare from fraud
- How to identify and report billing errors and concerns
 - What to do if you suspect Medicare fraud
 - How to protect your personal information

To download a copy of this publication visit: www.medicare.gov/publications/pubs.pdf.10111.pdf

HHS TARGETS FRAUDULENT BUSINESS PRACTICES IN THREE HIGH-RISK AREAS

In May 2007, the US Department of Health and Human Services (HHS) and the Department of Justice (DOJ) announced the establishment of a multi-agency strike force of federal, state and local investigators to combat Medicare fraud. The strike force is a targeted criminal, civil and administrative effort against individuals, providers and health care companies that fraudulently bill the Medicare program.



In the first phase of this effort designed to protect Medicare beneficiaries from fraudulent providers and practices, HHS launched three two-year demonstration projects aimed at three high-risk fraud areas. These demonstration projects are an extension of HHS' continued effort "to work with the Department of Justice to protect the public and Medicare by stopping fraud before it happens," said HHS Secretary Mike Leavitt. The strike force identifies potential fraud cases for investigation and prosecution through real-time analysis of billing data from Medicare Program Safeguard Contractors (PSCs) and claims data from the Health Care Information System.

"SMP volunteers across the country play an important role in educating our older Americans and their caregiver.."

Although these efforts were created through the partnership between HHS and DOJ, it is vital that all SMPs explore opportunities to collaborate with their regional CMS program integrity staff. As stated by AoA Assistant Secretary Josefina Carbonell, "SMP volunteers across the country play an important role in educating our older Americans and their caregivers on how to identify and report suspected fraud." By establishing partnerships with regional CMS office staff and providing outreach and education on these three high-risk areas, as well as other Medicare fraud and abuse issues, SMPs will continue to provide an invaluable service in the fight to combat Medicare fraud.

To learn more about the HHS demonstration projects or to view all HHS press releases, fact sheet and materials visit www.hhs.gov/news.

For your convenience, the SMP Personal Health Care Journal, brochure, and logo are now available on the web. You can find these resources in English, Chinese, Spanish, Korean, Russian and Vietnamese. To download these resources, visit www.smpresource.org. To request a copy of the data CD or the DVD containing the SMP PSAs email info@smpresource.org!

PARTNERSHIP DEVELOPMENT AT PRO-SENIORS THE OHIO SMP: AN INTERVIEW WITH ANNE FREDRICKSON

Major Partnerships

Pro-Seniors, Inc. is a non-profit organization in Cincinnati, Ohio which provides seniors information and advice on where to turn when they have legal or long term care problems. In addition to their legal services and long term care ombudsman programs, they have also received the Ohio SMP grant since 2002.

As Director of the Ohio SMP program, Anne Fredrickson seeks to develop and maintain partnerships to support health care fraud education efforts, as well as to enhance the "statewideness" of her program. Anne has maintained a terrific relationship with her state SHIP over the years and emphasizes the value of this partnership for SMPs who are not co-managed with a SHIP.



Anne Fredrickson is the Director of Pro-Seniors, Inc, the Ohio SMP

The relationship began to develop when she became a certified SHIP counselor to enhance her Medicare knowledge for her work as an SMP Director. Now, she is frequently asked to travel with them to present her health care fraud presentation. The state SHIP covers Ohio's 88 counties with assigned SHIP trainers who organize Medicare Check Up days for beneficiaries who are considering a change in their Medicare coverage to a Medicare Advantage or Fee for Service plan. Anne brings the SMP Public Service Announcements that were produced at the end of 2006 and reports that SHIP audiences love them. She speaks for an hour to forty-five minutes when she attends these events and sometimes even finds interested volunteers for her SMP program. (Anne also has a regular column on Medicare fraud in her state SHIP's newsletter.) In return, the SHIP provides trainers for SMP volunteer trainings to educate about the SHIP program and Medicare. The opportunities for Anne to travel with the SHIP to beneficiary events are also invaluable as a tool to increase "statewideness". The partnership between SMP and SHIP is so well-balanced with mutual benefits that it is a particular point of pride for her. Next month, Anne will be speaking at the Annual Ohio SHIP Summit about her SMP program, health care fraud and volunteer opportunities.

Through partnering with the Ohio SHIP, Anne has also developed a solid relationship with the Ohio Department of Insurance. The Department of Insurance is the

PARTNERSHIP (continued)

sponsoring organization for the state SHIP grant and has provided her with many good contacts for reporting insurance agent issues. She has found that, because they know her, these contacts will take the trouble to contact her when one of her cases is referred to law enforcement or when a case is closed due to a beneficiary's refusal to provide additional information.

Community Involvement

Anne has cultivated several strong regional partnerships. She is a member of a five county task force that includes members from County Councils on Aging, Area Agencies on Aging and a program called Passport that is focused on helping seniors find adequate services to age at home. Members of the task force aim to educate themselves about Medicare products so that they can effectively advise Medicare beneficiaries.

Anne's weekly radio news show, Medicare Moment, receives funding from the Area Agency on Aging as a result of yet another partnership. The funding supports advertisements for volunteers and public service announcements regarding health care fraud. Anne considers the radio station, WMKV 89.3 FM, to be another SMP partner because they provide some free support for the show.

Tips for SMPs

When asked about her strategy for partnership development, Anne reports that she "offers a lot and expects little in return" at the start of a relationship with another organization. Her giveaways (SMP potholders and pens) are extremely popular with Medicare beneficiaries and she noted that bringing these items to a partnering agency's event allows both organizations to increase audience appeal.

Joining professional associations has also been helpful for partnership development. Anne is a member of the Association for Professionals in Aging, which covers the Greater Cincinnati area (parts of Indiana, Kentucky and Ohio), and she has found that this organization has helped her to make new contacts. She also found that becoming a certified SHIP counselor was a catalyst in the development of her partnership with the Ohio SHIP. Other educational opportunities may also provide SMPs with new contacts. Anne has found that her willingness to "go anywhere" and "do anything" at first, and regularly taking advantage of available health care education, have paid off with ever increasing opportunities to educate seniors.

MEDICAID TAMPER-RESISTANT PRESCRIPTION PADS

On August 17, 2007 CMS issued new Medicaid guidance to reduce or prevent Medicaid payment for fraudulent prescriptions. (State Medicaid Director Letter #07-012). Beginning March 1, 2008 State Medicaid agencies are required to implement new requirements that all of its Medicaid providers use "tamper resistant" prescription pads authorized by section 7002(b) of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery and Iraqi Accountability Appropriations Act of 2007. States that are not in compliance with these requirements will lose federal Medicaid reimbursement for outpatient prescription drugs and over-the-counter drugs that are paid by state Medicaid agencies.



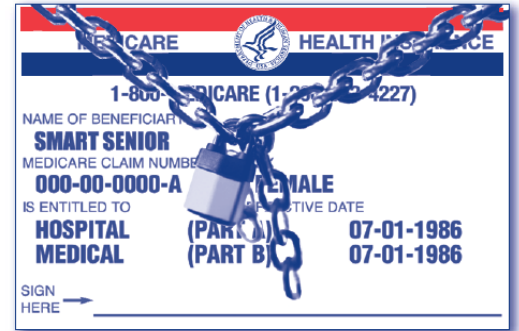
Although States may define how it will comply with this requirement, CMS provides three baseline characteristics for tamper resistant prescription pads. The pads 1) must utilize industry-recognized features designed to prevent unauthorized copying of a completed or blank prescription form; 2) must utilize industry-recognized features designed to prevent erasure or modification of information written on the prescription by the prescribers, or 3) must utilize industry-recognized features designed to prevent the use of counterfeit prescription forms. The State Medicaid agency must meet one of the requirements by March 1, 2008 and meet all three requirements by October 1, 2008. The tamper resistant prescription pad requirement is applicable whether Medicaid is the primary or secondary prescription drug payer.

These requirements do not apply when the prescription is communicated by the prescriber to the pharmacy electronically, verbally by telephone or by fax; a managed care entity pays for the prescription, or in instances where the prescription drugs are provided in nursing facilities, intermediate care facilities for the mentally retarded and other specified institutional or clinical facilities. The guidance does not restrict emergency fills of non-controlled or controlled dangerous substances for which a prescriber provides the pharmacy with a verbal, faxed, electronic or compliant written prescription within 72 hours after the date on which the prescription was filled.

CMS encourages greater use of e-prescribing and for States to exceed the baseline standards. CMS recognized that several States already have their own state law and regulation requiring tamper-resistant prescription programs and deems that all of these States meet or exceed the baseline standard. States are free to decide whether to allow pharmacists to accept out-of-State prescriptions that meet the tamper-resistant requirements of another State.

ALABAMA IN THE NEWS!

The Alabama SMP has created the Medicare Fraud Protection toolkit to help beneficiaries to ask salespeople the right questions while considering Medicare Advantage Plans. Each Medicare Fraud Protection Toolkit includes facts on health care benefits options, things to look for when considering a healthcare plan and four steps seniors can take to safeguard their Medicare coverage. It also contains a list of red flags to look out for when considering a plan.



In September 2007, the toolkit was received with great fanfare at a press conference attended by Alabama Governor Bob Riley, Irene Collins, Director of Alabama Dept of Senior Services and Barbara Dieker, Director of the Office of Elder Rights at AoA. At this time, over 25,000 toolkits have been distributed to Alabama beneficiaries since October. The toolkit has been downloaded almost 6,500 times over the past three months. Thirteen states have notified the Alabama SMP that they plan to replicate the Alabama Medicare Fraud Protection Toolkit. Please contact the Alabama SMP directly at 1-800-243-5463 for more information.

Please follow the link for a video clip of the press conference and related article. www.governorpress.alabama.gov/pr/pr-2007-09-24-01-medicarefraudprevention-video.asp

MEDICARE'S FALL 2007 OPEN ENROLLMENT

It's that time of year again! Medicare's fall open enrollment began on November 15th and continues through December 31st, 2007. This is the period for Medicare beneficiaries to enroll in a drug plan, review their coverage and make desired changes.

To kickoff the enrollment period, the CMS "Working Together for Better Health" Medicare Bus Tour" traveled to communities across the nation. During the bus tour, Medicare beneficiaries and their caregivers were educated on tools and resources available during Open Enrollment so that they may choose a Medicare plan that fits their needs.

In addition to offering a great opportunity for people with Medicare, the tour also provided a chance for SMPs to meet and potentially partner with regional CMS and SHIP

OPEN ENROLLMENT (continued)

representatives. Many SMPs participated in the tour stops within their cities and regions. During the tour, beneficiaries were also given resources to educate them about Medicare fraud. The Center provided CMS with 10,000 SMP Personal Health Care Journals as a resource to distribute during the tour.

There are still 30 days remaining in the open enrollment period and you can still do your part to assist beneficiaries and educate them about fraudulent practices. For resources and information about the open enrollment period visit www.cms.hhs.gov.

GLAD YOU ASKED!

Question: Will The Center be offering additional SMART FACTS training for SMP staff and volunteers?

During the months of December and January, The Center will be offering SMART FACTS training conference calls. Although you are strongly encouraged to participate, these are voluntary training sessions. The purpose of these trainings are to support SMP Directors in becoming fully adept in the use of the SMART FACTS software. Support staff and volunteers who use SMART FACTS are certainly welcome to participate in these calls for supplemental training. Registration is not required and you do not need to RSVP.

The training schedule for December is as follows:

- Monday, December 10th at 3pm ET – Issues and Inquiries Program
- Tuesday, December 11th at 3pm ET – Volunteer Tracking and Management Program
- Wednesday, December 12th at 3pm ET – Outreach and Education Program
- Wednesday, December 19th 12pm ET – Issue and Inquires Program

To access the conference call dial: 1.800.264.8463 and use conference code: 194610#.

For further information about the SMART FACTS trainings and January training dates, please visit [The Center website](#) or contact Ginny Paulson at 1.877.808.2468.

Confused or have questions about the late enrollment penalty? Contact The Center for help at info@smpresource.org

For more information about the National Consumer Protection Technical Resource Center, please visit us at www.smpresource.org.

All newsletter submissions and inquires should be directed to Candice Griffin at cgriffin@smpresource.org.

Newsletter development is supported in part by grant No. 90AM2806, from the Administration on Aging, Department of Health and Human Services. Grantees undertaking technical resource centers under government sponsorship are encouraged to express freely their findings and conclusions. Therefore, points of view or opinions do not necessarily represent official Administration on Aging policy.