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### Mark you calendar!

Interested in participating in monthly SMP mentor calls?

Then visit the Calendar of Events page on The Center website

([www.smpresource.org](http://www.smpresource.org))

or contact

[smerner@hvaaa.org](mailto:smerner@hvaaa.org) for more information.

## SMART FACTS system a Laureate for International *Computerworld* Award

In February, the Administration on Aging was nominated for a 2007 *Computerworld Honors Program* award for the SMART FACTS system. Founded by International Data Group (IDG) in 1988, the *Computerworld Honors Program* is governed by the not-for-profit Computerworld Information Technology Awards Foundation. In its 20<sup>th</sup> year, *Computerworld Honors Program* is the longest running global program to honor individuals and organizations that use information technology to benefit society. In March, the SMART FACTS Case Study was selected as a Laureate in the "Government" category. The Case Study, prepared by Bearing Point, AoA, and The Center, highlighted SMPs efforts to protect beneficiaries and prevent Medicare fraud, waste and abuse in addition to featuring the program innovations made possible through technology. The PSC/MEDIC interface was one such featured innovation.

Each year, the program's Chairmen's

Committee, a group of 100 Chairmen/CEOs of global technology companies, nominates individuals and organizations around the world whose visionary application of information technology promotes positive social and economic progress. Nominations are evaluated by an independent board of CIO-level judges who select laureates, finalists and award winners, in 10 industry-related categories, to be honored at a Laureate Medal Ceremony in Washington DC on June 2nd. Nominating AoA and SMART FACTS for the 2008 award was Chuck Salmond of BearingPoint.

Barbara Dieker will accept the SMART FACTS laureate medal for AoA. In the evening, Laureates join members of the Chairmen's Committee and other industry luminaries as additional honors are given to 50 Finalists - 5 Laureates from each of the 10 categories, whose Case Studies were selected

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by Program Judges to be outstanding innovations within the information technology field. That field is narrowed further with the presentation of the 21st Century Achievement Awards. These awards are given to only one Finalist in each category, singled out for special recognition by the Program Judges to be the very best among their peers.

The technology achievements honored by this program are preserved and protected at [www.cwhonors.org](http://www.cwhonors.org), in national archives, and in over 350 universities, museums and research institutions throughout the world.

Without significant SMP input, a willingness to try new things, and diligent hard work, this award would not have been possible. SMART FACTS is truly a collaborative tool, its success dependent on the efforts of many, including: AoA, BearingPoint, Social Solutions, SMPs, The Center, and more recently, CMS, due to the new PSC/MEDIC interface. Certainly the lion's share of the work is now in the hands of SMPs. A sincere "thank you" goes out to all of you for your commitment. Stay tuned for news about the outcome of the June 2<sup>nd</sup> awards ceremony.

**AOA UPDATE**

Greetings to the SMP network!

It's that busy time of year—for you, preparing and submitting grants applications, and for us at AoA, conducting reviews and processing awards. I am sure that all of you are eager to learn of the final award decisions, and we promise to inform you as soon as those decisions have been made by the Assistant Secretary.

I would like to share some recent AoA activities involving interface with CMS on SMP-related matters.

- \* Joint CMS/AoA Reporting Guidance for joint SMP/SHIP programs—AoA and the Center have worked with the CMS SHIP headquarters staff for over six months in developing clarifying guidance for data reporting by SHIPs and SMPs that are co-located, in a contractual relationship, or have a collaborative agreement that requires the reporting of program activities to both CMS and AoA. The guidance provides protocols relative to SHIP (NPR) and SMP (SMARTFACTS) definitions and reporting procedures for specific activity categories (one-on-one counseling, complex issues, volunteer training, etc.). The final draft is under review by

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CMS HQ; we are hopeful to issue the guidance to SMP/SHIP programs during May.

\*Initial meeting with CMS Program Integrity Group (PIG) Division of Analysis and Evaluation (DAE)— On April 23<sup>rd</sup>, Ginny and I held an initial conference call with Kevin Young of the DAE of CMS headquarters Program Integrity. The DAE conducts national data surveillance, analyzing payment utilization data to detect anomalies and identify potential fraud patterns. The DAE looks for spikes in billing submitted by providers, change of codes or profile by providers, and beneficiary numbers that may have been compromised (sold or stolen), among other things. When “red flags” are identified, the DAE shares this information with CMS regional Program Integrity staff, CMS investigators, FBI or others on the ground to investigate further.

After sharing information on the SMP program, we discussed potential areas for collaboration. Two initial ideas included: 1) CMS sharing with AoA/Center specific identified fraud “red flags” (providers, scams, types of fraud being perpetrated) targeted to the specific locales where it has been identified, to be shared with SMPs in those specific areas. SMP outreach messages could then be tailored to warn beneficiaries of those identified problems locally. Data on complaints received by the SMP on these targeted fraud issues could in turn be shared with the DAE. 2) Longer term efforts may include analysis of SMART FACTS data for trends (by provider, health care issues, state, etc.) and sharing SMP trend data with the DAE to assist in CMS fraud detection efforts. We are excited about this new opportunity to work with CMS to prevent, identify and report Medicare and Medicaid fraud!

\* SHIP Conference Panel on Fraud—A proposal from AoA and the Center was approved for presentation at the 14<sup>th</sup> annual SHIP Conference, held in Baltimore, MD May 27<sup>th</sup>-30<sup>th</sup>. The panel, “*Trends in Healthcare Fraud and Abuse: Identifying, Preventing and Responding*”, included Randy Beardsley, Deputy Director, Program Integrity Group, CMS; Julie Schoen, SMP Project Director, California Health Advocates; and myself. The workshop focused on: distinctions between fraud, error and abuse; national fraud trends, major CMS fraud prevention initiatives; strategies used locally to increase awareness and improve detection; examples of successful cases, including collaborative efforts between SMP and CMS at the local level; scams/fraud reported by SMPs nationally; and fraud tips. Thanks to all who attended the conference and joined us at this workshop!

As always, thanks for all that you do each day in empowering seniors to prevent healthcare fraud!

*Barbara*

## Pending Legislation Targets Financial Exploitation against Older Adults

Financial fraud against older adults, ID theft, selling fraudulent products to older adults — these are all concerns for SMPs. The older adult who is the target or victim of a health care scam is certainly not exempt from other forms of scams and ruses. While many scams that SMPs encounter may not take money out of the pocket (or bank account) of the Medicare beneficiary, they certainly take it from the Medicare program. That, in turn, of course, means the loss of precious dollars to Medicare and the same is true for Medicaid and other health care programs. Other forms of successful financial scams against older adults mean the loss of resources that may be needed for health care, including paying co-pays and other out-of-pocket costs for health care. In other words, the line between health care-related financial fraud and other forms of financial abuse is neither bright nor impermeable.



One bill currently pending before Congress – the Elder Justice Act (EJA) – would, if enacted, clearly define as abuse the kinds of scams encountered by those that the SMPs serve. The EJA defines “exploitation” as “fraudulent or otherwise illegal, unauthorized or improper act or process of an individual, including a caregiver or fiduciary, that uses the resources of an elder for monetary or personal benefit, profit, or gain, or that results in depriving an elder of rightful access to, or use of, benefits, resources, belongings or assets.”

A recent notice sent by the Missouri Attorney General’s office to the “AoA and SMP Grantee Discussion List” (the SMP listserv) describes a close call for an elderly man who was almost conned out of \$80,000 by a variation of the so-called “grandparents scam.” If this con job had been successful, it would be a classic example of what the EJA would define as “exploitation.” As Rona McNally, Missouri’s SMP project manager notes, “When a senior’s resources are drained as a result of a scam, they may no longer be able to obtain needed services.”

Despite numerous hearings on elder abuse held by various congressional committees over the last 25 years — and much publicity surrounding the topic since the days of Claude Pepper — Congress has never passed a major elder abuse law. Although the Older Americans Act has an elder abuse section that was strengthened in the recent OAA reauthorization, Congress is considering enacting much more comprehensive legislation to combat elder abuse in its various forms including financial abuse.

The pending Elder Justice Act [S. 1070 and H.R. 1783, sponsored by Sen. Orrin Hatch (R-UT) and Rep. Rahm Emanuel (D-IL)], would create a way to coordinate elder justice activities and research at the national level. Proponents of the bipartisan bills are optimistic the Congress will pass the EJA in 2008 after coming close in the Senate in each of the last two Congressional sessions.

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While there are some significant differences between the Senate and House versions of the EJA, there is much in common between the two. Both would provide support for states' adult protective services programs and provide grants for improving effectiveness and training of Long-Term Care Ombudsman programs. A major difference, however, is that the House version contains provisions to be administered by the U.S. Department of Justice, such as a grant program to support state prosecutors including in States' Attorneys Generals offices and Medicaid Fraud Control Units.

There are several other bills addressing financial abuse against older adults pending before Congress including:

S. 1178, Identity Theft Prevention Act by, would allow adults age 65 and older to place a "freeze" on their credit report. The bill was approved by the Senate Commerce Committee in December 2007.

S. 2794, Senior Investor Protection Act, would protect older Americans from misleading and fraudulent marketing practices, with the goal of increasing retirement security.

S. 2490, Reverse Mortgage Proceeds Protection Act, would prohibit authorized lenders of home equity conversion mortgages from requiring seniors to purchase an annuity with the proceeds of a reverse mortgage.

H.R. 531, Retirement Security Education Act, would establish a grant program to enhance the financial and retirement literacy of mid-life and older Americans to reduce financial abuse.

S. 2915, Safeguarding Social Security Numbers Act, would require uniform standards for truncating Social Security account numbers to prevent fraud or identity theft.

### **SMP Regional Conferences**

The U.S. Administration on Aging and The National Consumer Protection Technical Resource Center are excited to announce the 2008 SMP Regional Training Conferences to be held in Houston, Anaheim and Orlando.

National and local leaders from the AoA, The Centers for Medicare & Medicaid Services, state Medicaid Fraud Control Units, Program Safeguard Contractors and other public and private organizations will offer presentations on such topics as regional fraud trends, making appropriate referrals, recruiting multi-cultural volunteers, and targeting underserved populations.

Interested in learning more about the SMP Regional Conferences visit [www.smpresource.org](http://www.smpresource.org)!

Visit us on the web at [www.smpresource.org](http://www.smpresource.org)

THE NATIONAL CONSUMER  
PROTECTION TECHNICAL  
RESOURCE CENTER

Phone: 877.808.2468

E-mail: [info@smpresource.org](mailto:info@smpresource.org)

For more information about the National Consumer Protection Technical Resource Center, please visit us at [www.smpresource.org](http://www.smpresource.org).

All newsletter submissions and inquires should be directed to Candice Griffin at [cgriffin@smpresource.org](mailto:cgriffin@smpresource.org).

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## GLAD YOU ASKED!

*Q: Have there been any reported incidents of fraud relating to the economic stimulus checks?*

By now, many Americans have received their tax rebate from the IRS but for the millions that have not received their checks, crooks are emphatic in their efforts to defraud them.

The most common mistake consumers make is believing people who say they are with a governmental agency, when they really are not. The callers are very slick, they know the business, they sound very friendly, and they act like they want to help you.

A fraudulent schemes might work like this:

A consumers receives a call from an individual claiming to be from the Internal Revenue Service, the Social Security Administration, or some other government agency, citing the need to collect some bit of personal information to process their tax rebate check. Individuals are then asked to provide their Social Security number, bank account number, or another piece of personal information that can be used to commit identity theft.

Consumers are also receiving an e-mail with a link that that leads to an official-looking, but phony, web site that is simply “phishing” for the consumer's social security and bank account numbers.

CNN reported one Texas woman, 69-year-old Edna Lawrence, said she was called at least nine times by a man posing as an IRS agent. She didn't fall for it, and instead notified her state's attorney general about the caller. “Actually, he was kind of pushy. Basically he wasn't going to take ‘no,’ and I had to hang up on him,” she said.

Others have not been so fortunate. Reports are flooding in from individuals who have received these fraudulent emails and phone calls. Although tax scams are not new, rebate checks heading out to approximately 128 million households is a cause for concern.

Two key things that everyone should remember is that (1) the IRS will never ask for bank account or similar information over the phone or internet and (2) to get the special stimulus rebate, all most taxpayers have to do is file a 2007 tax return.