SMP and OIG Fraud Trends

Marissa Whitehouse (OHIC) - Moderator

Jennifer Trussell (SMPNRC)

Michael Cohen (OIG)

Agenda

Introduction and Overview
Marissa Whitehouse

SMP Fraud Trends
Jennifer Trussell

OIG Fraud Trends
Michael Cohen

Q&A
All Speakers

SMP Introduction & Overview

Mission

To empower and assist Medicare beneficiaries, their families, and caregivers

to prevent, detect, and report health care fraud, errors, and abuse

through outreach, counseling, and education.

- Appreciation for OHIC grantees

- Appreciation for Federal partners

- Continue to adapt to prevent, detect, and report

SMP Fraud Trends

Jennifer Trussell

Fraud Prevention Consultant

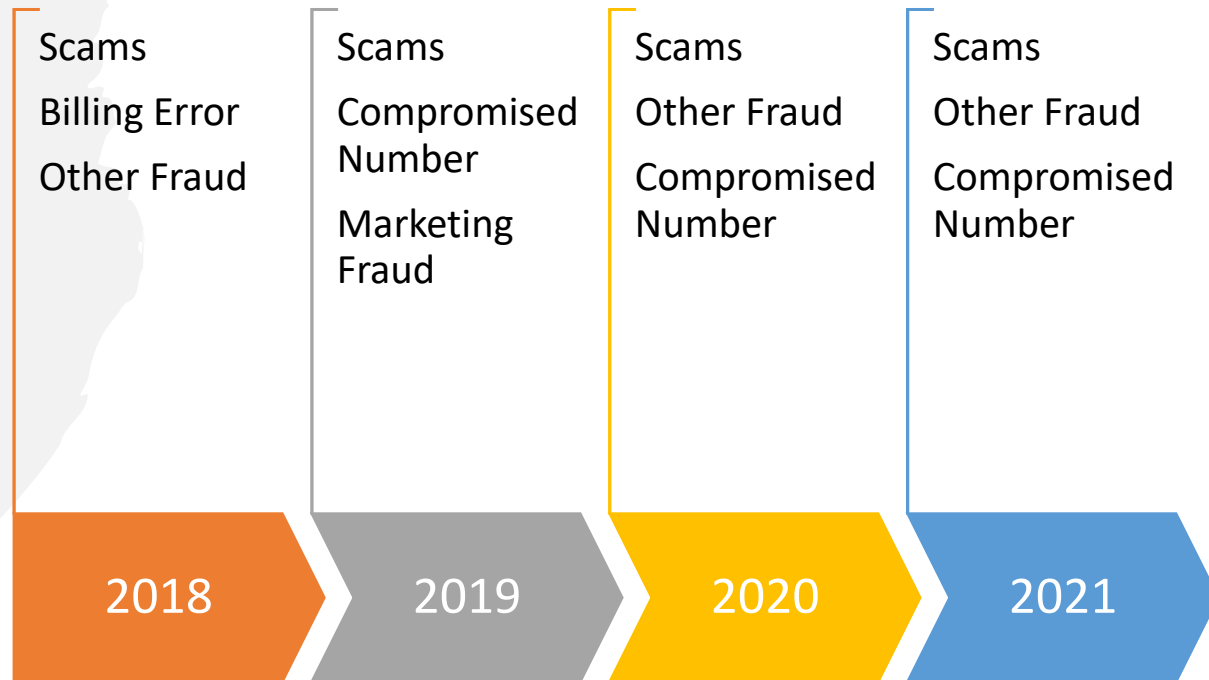SMP National Resource Center

Overview

- Overview of Identifying Trends from SIRS Data

- Trends By Year

- The Big Five
  - ❑ Durable Medical Equipment (DME)
  - ❑ Hospice
  - ❑ Compromised Medicare Number
  - ❑ Quality of Care
  - ❑ Marketing Fraud

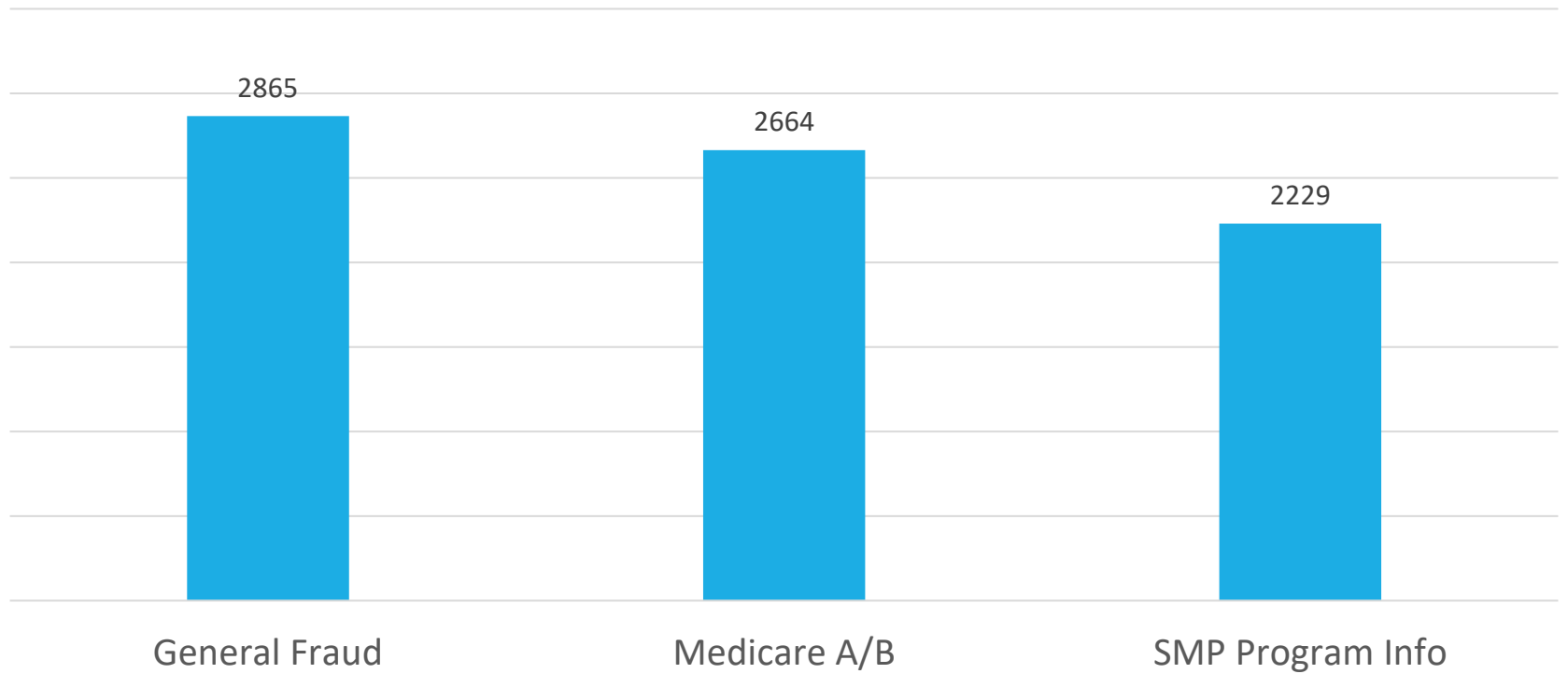- COVID Fraud

- Telehealth

- What's Next?

What Can We Tell From the SIRS Data?

- SIRS wasn't designed for fraud trend analysis, but there is still relevant information

- Data trend identification vs "instinct queries"

- Top states and schemes can represent actual trends - or other factors

- Broad sweeps can reveal surprising trends, but is it useful?

Issues By Year

2018
- Scams
- Billing Error
- Other Fraud

2019
- Scams
- Compromised Number
- Marketing Fraud

2020
- Scams
- Other Fraud
- Compromised Number

2021
- Scams
- Other Fraud
- Compromised Number

Topics by Year
(2018 – 2021 to date)

The Big Five to Watch
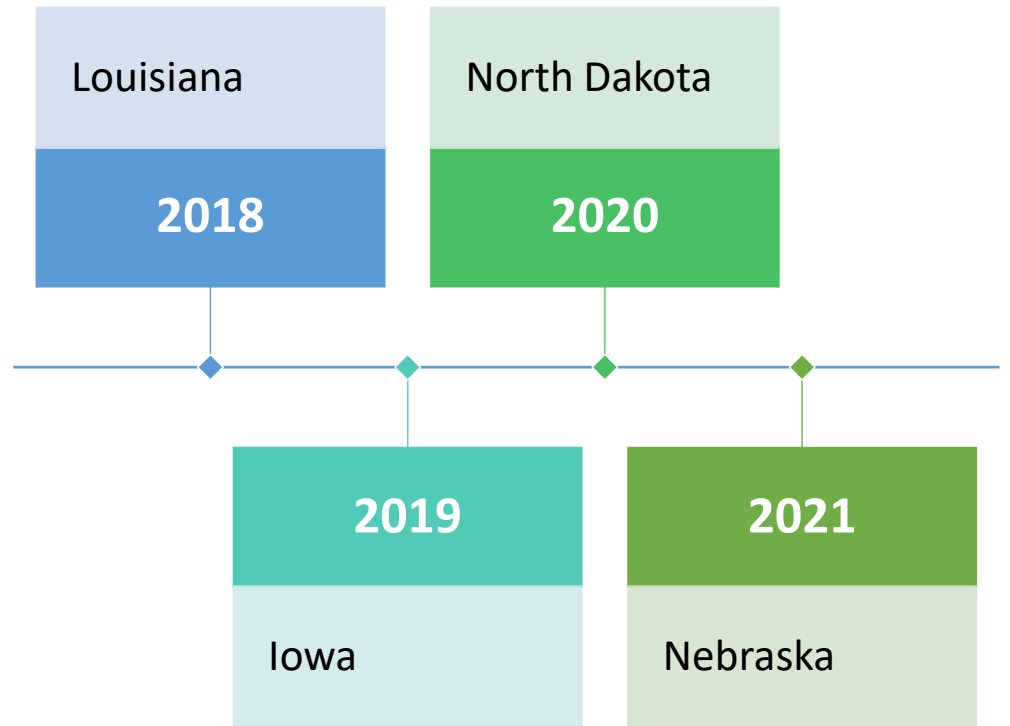**(and surprise states)**

DME (WY, IA)

Hospice (MA, GA)

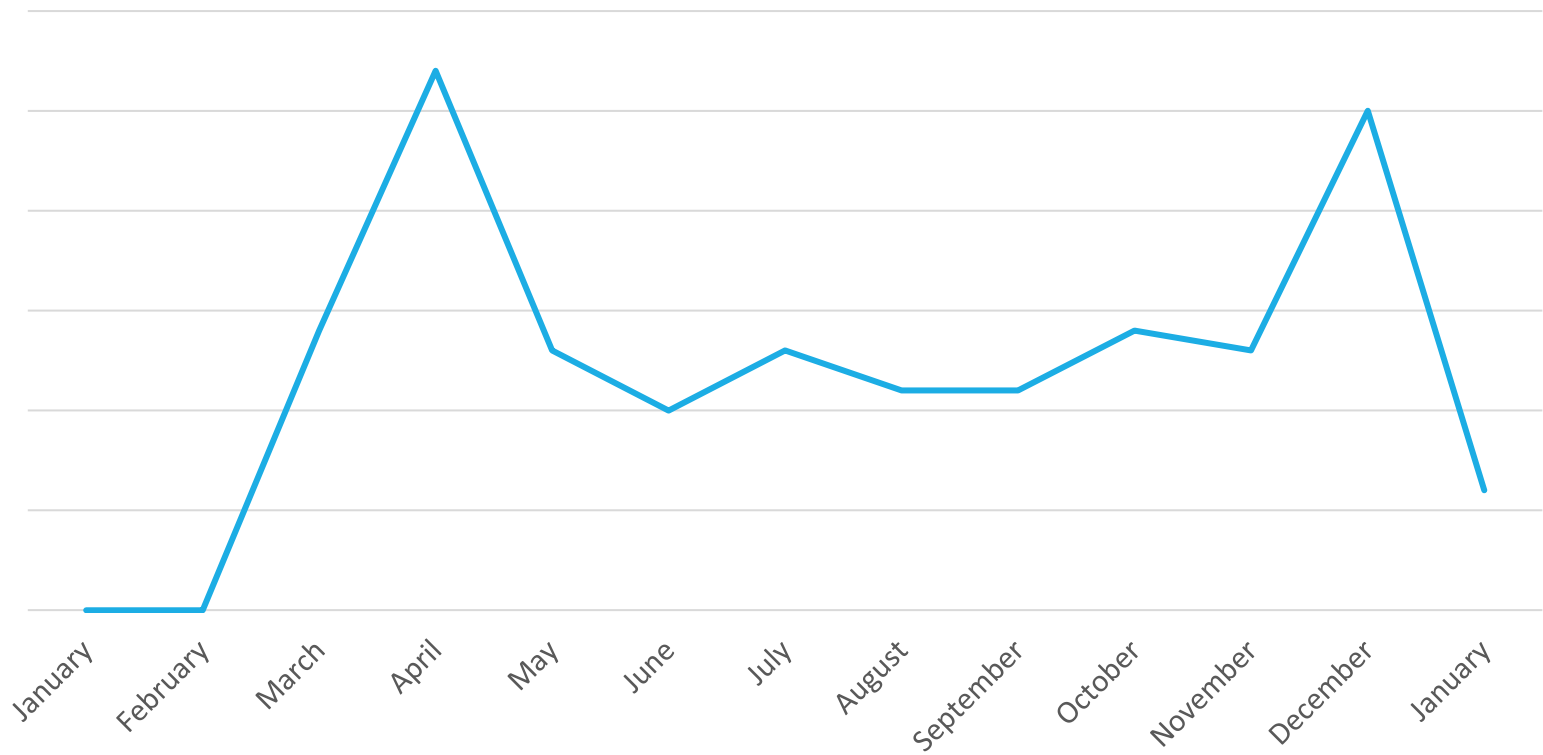Compromised Medicare Number (ND, LA)

Quality of Care Issues (PA, VA)

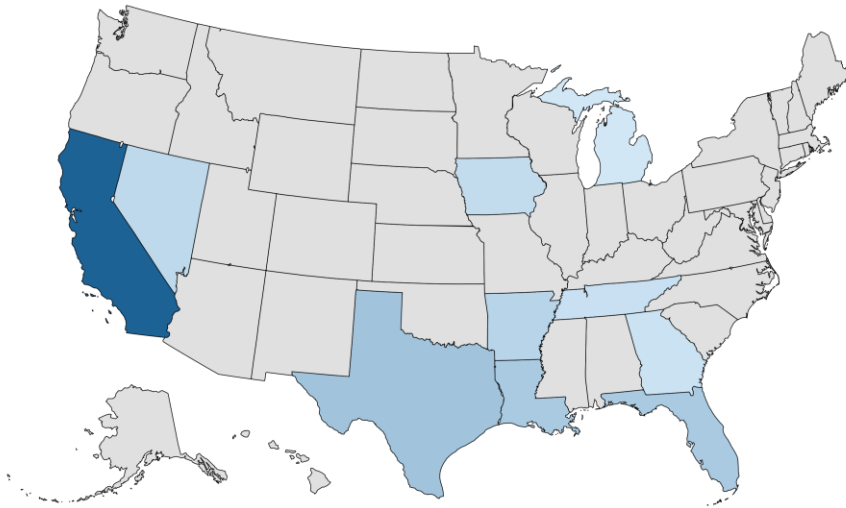Marketing Fraud (KY, TN)

Compromised Number
(and surprise states)

Louisiana

2018

North Dakota

2020

2019

Iowa

2021

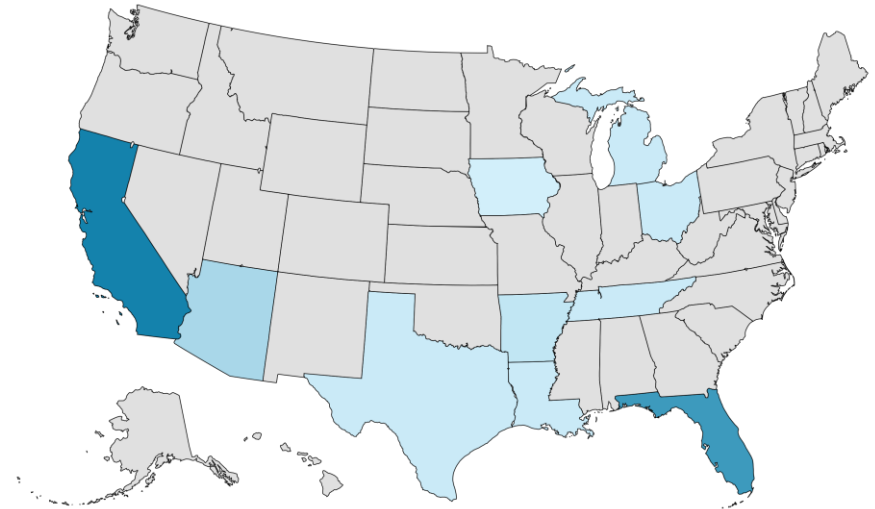Nebraska

SMP COVID-19 Complaints 2020

SMP Comparison of Top Ten States for Genetic Testing and COVID-19 Complaints
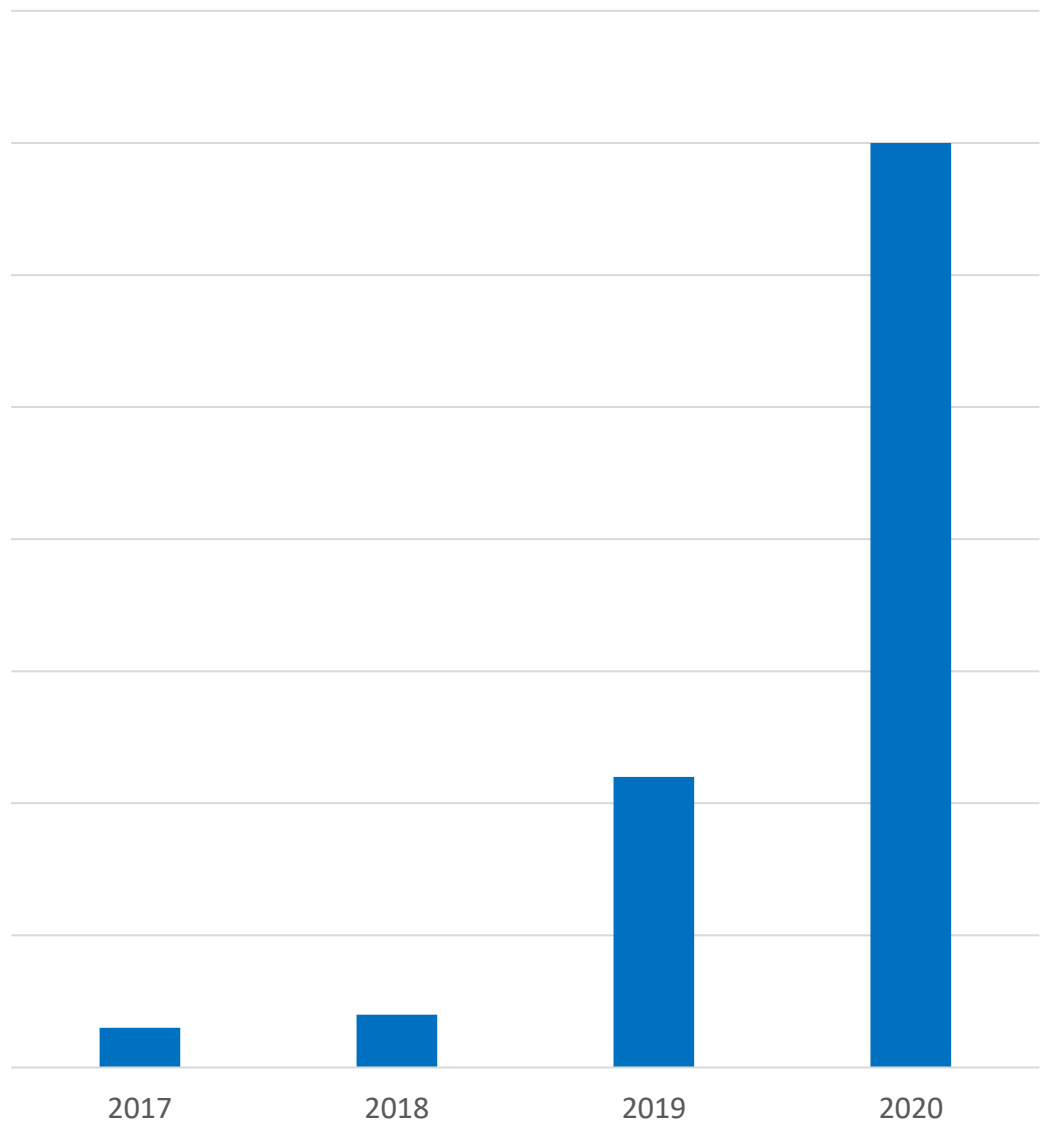
GENETIC TESTING 2019

Powered by Bing
© GeoNames, Microsoft, TomTom

COVID 2020

Powered by Bing
© GeoNames, Microsoft, TomTom

Number of SMP Telehealth Complaints 2018 - 2020

| | 2017 | 2018 | 2019 | 2020 |

Top Ten States for SMP Telehealth Complaints (2018 - 2020)
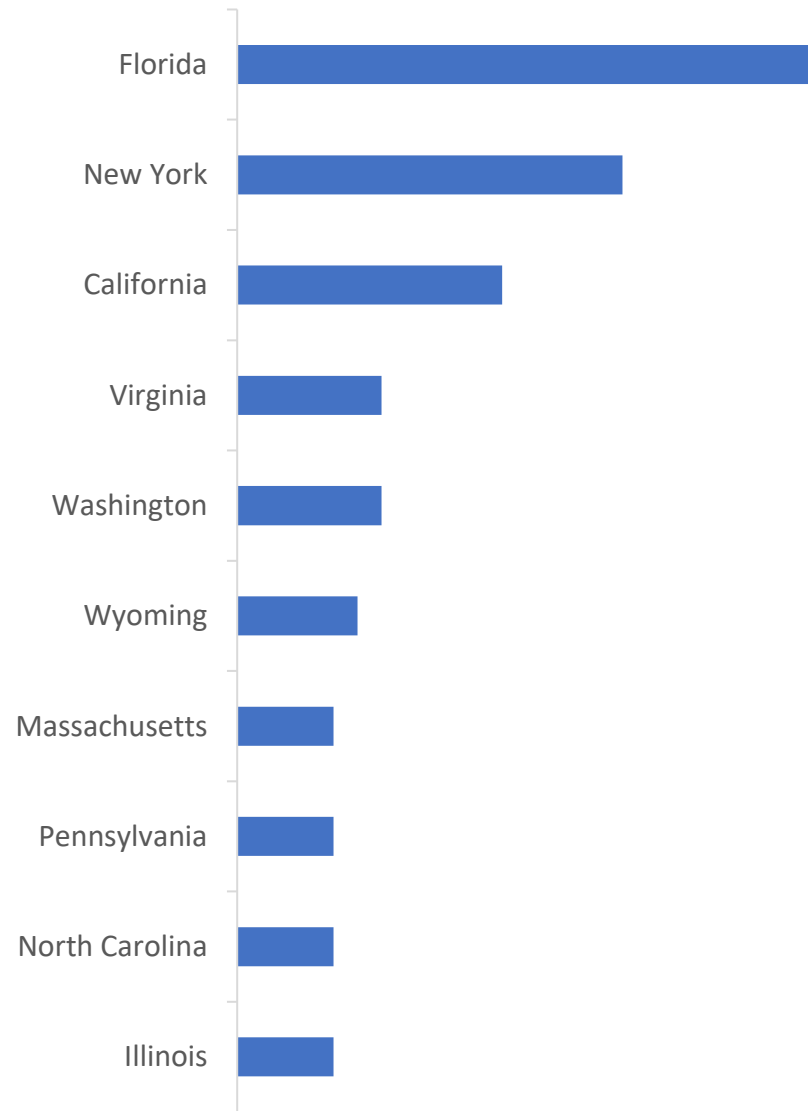
What's Next...
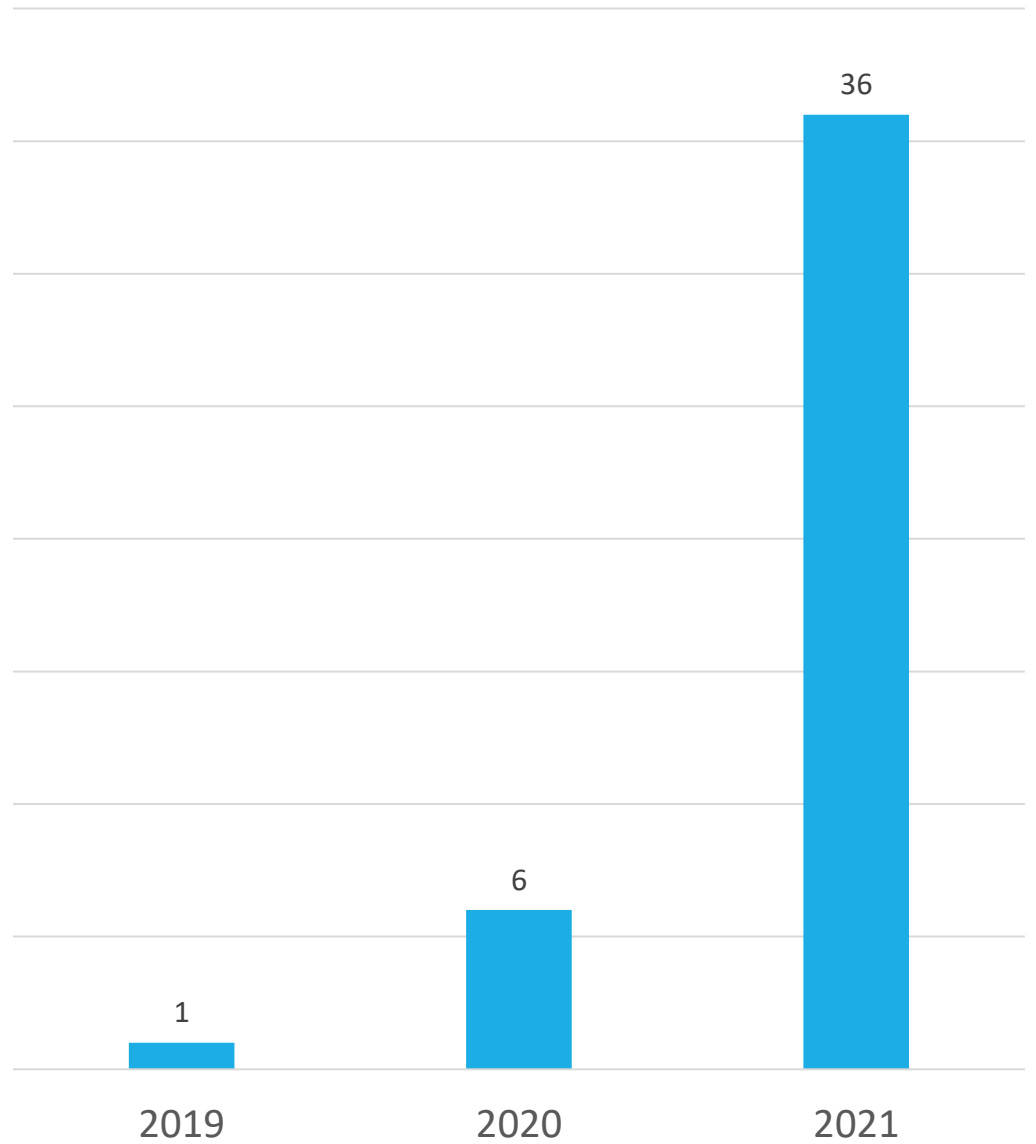
OIG Fraud Trends

Mike Cohen, DHSc, JD, PA-C

Operations Officer, Investigations

HHS-OIG

Unique Times

- Unique times with innovative frauds
- Great coordination among stakeholders
- This presentation is a snapshot in time

Fraud Buckets

- Identity Theft
- Telemedicine
- Laboratory
- Pharmaceutical (Includes vaccines)
- Other Frauds (Uninsured portal, PPP)

Contact Methodologies

- Use of recruiters/marketers; some not in U.S.
- Cold-calling beneficiaries
- Text messages
- Bait click ads on the Internet
- Social media ads
- Door to door solicitations

Identity Theft

- By far highest area of fraud
- Goal is not Covid testing; it's to get PII or add-on tests
- Cold calling
- False representations as government officials
- Offering treatments that do not exist
- Fake drive through testing sites

Identity Theft

| Fiscal Year	Complaints
FY2018	1302
FY2019	1668
FY2020	1827
FY2021	2398
Total	7195

Telemedicine Schemes

- Telemedicine has promise; but needs guardrails
- All ID theft schemes appear in telemedicine scams
- Still in relaxed regulatory environment. Permanent?
- Inflation of time spent with patient (upcoding)
- Previously scammers did not bill telemed visit; this has evolved
- Largest fraud risk is telephonic only with no prior relationship

Other Telemedicine Risks

- Lack of informed consent; billing even if "no"
- Cold calling beneficiaries
- Degradation of standard of care
- Expecting large uptick in medical negligence cases
- Non-certified HIPAA platforms. Billing by Facebook, text messages
- Who protects dementia patients??

Monthly Telemedicine Billed Amount Trends: FFS
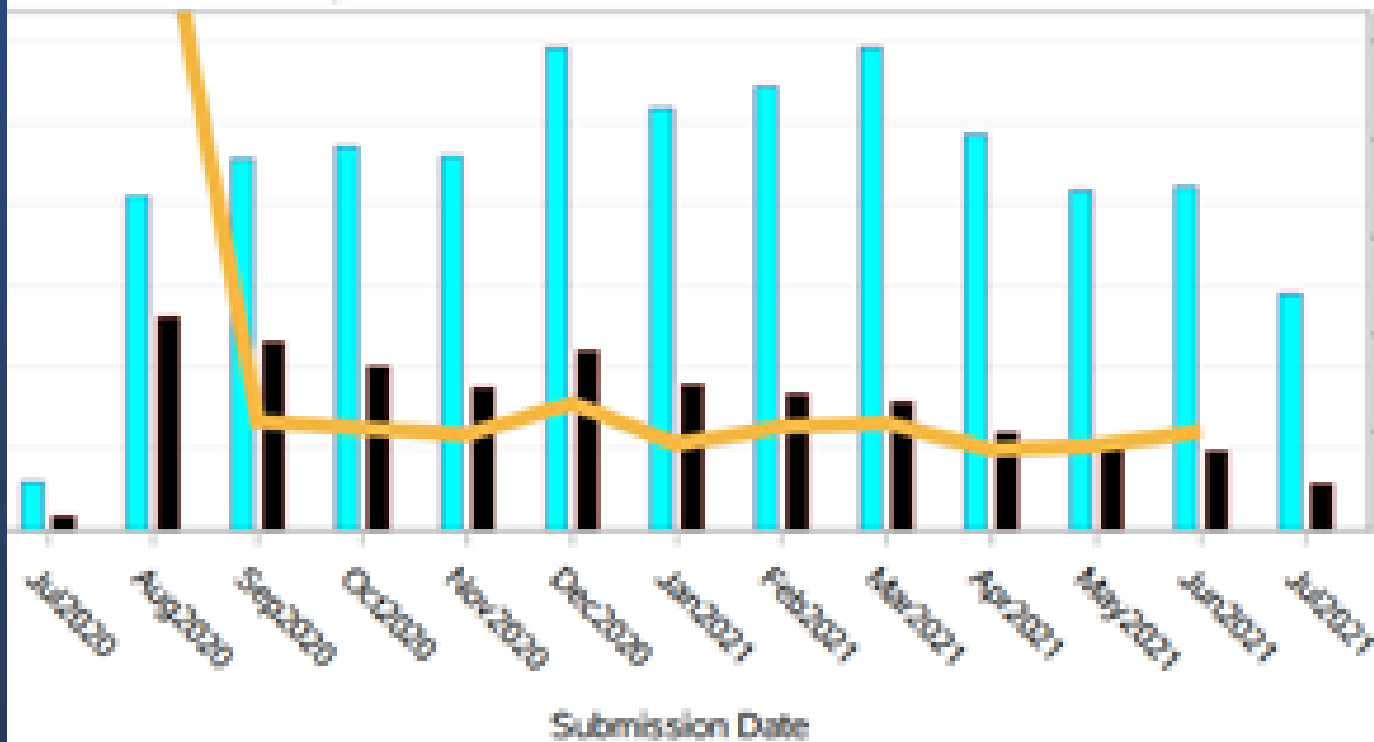
Lab Testing Scams

- Telling patients, they must get genomic tests before Covid test

- Add on tests for cardiac (imaging + cardiogenomic) and allergy tests

- Covid test + code for "wellness visit"

- Still adding on RPP and similar tests ($16,000)

- Physician NPIs added to tests they never ordered

- Billing for both vaccines on first visit, then nobody can bill for second

Labs Continued

- Lab contracts with multiple LTCs. Tests staff automatically 2x/week and residents 1x/week without regards to symptoms

- Testing only for Covid, but then billed for ED visit or office visit

- Lab not running test for 14 days; sending Fedex ground

Pharmaceuticals

- Chloroquine and hydroxychloroquine use down
- Giving homeopathic med but billing for Moderna vaccine
- Scam calls offering "pre-approved" medications
- Circumventing prior authorization relaxation to bill expensive specialty drugs not dispensed, for diseases they don't have. E.g. Targretin gel ($30,000/tube)

Opioids Avg Day Supply 2020
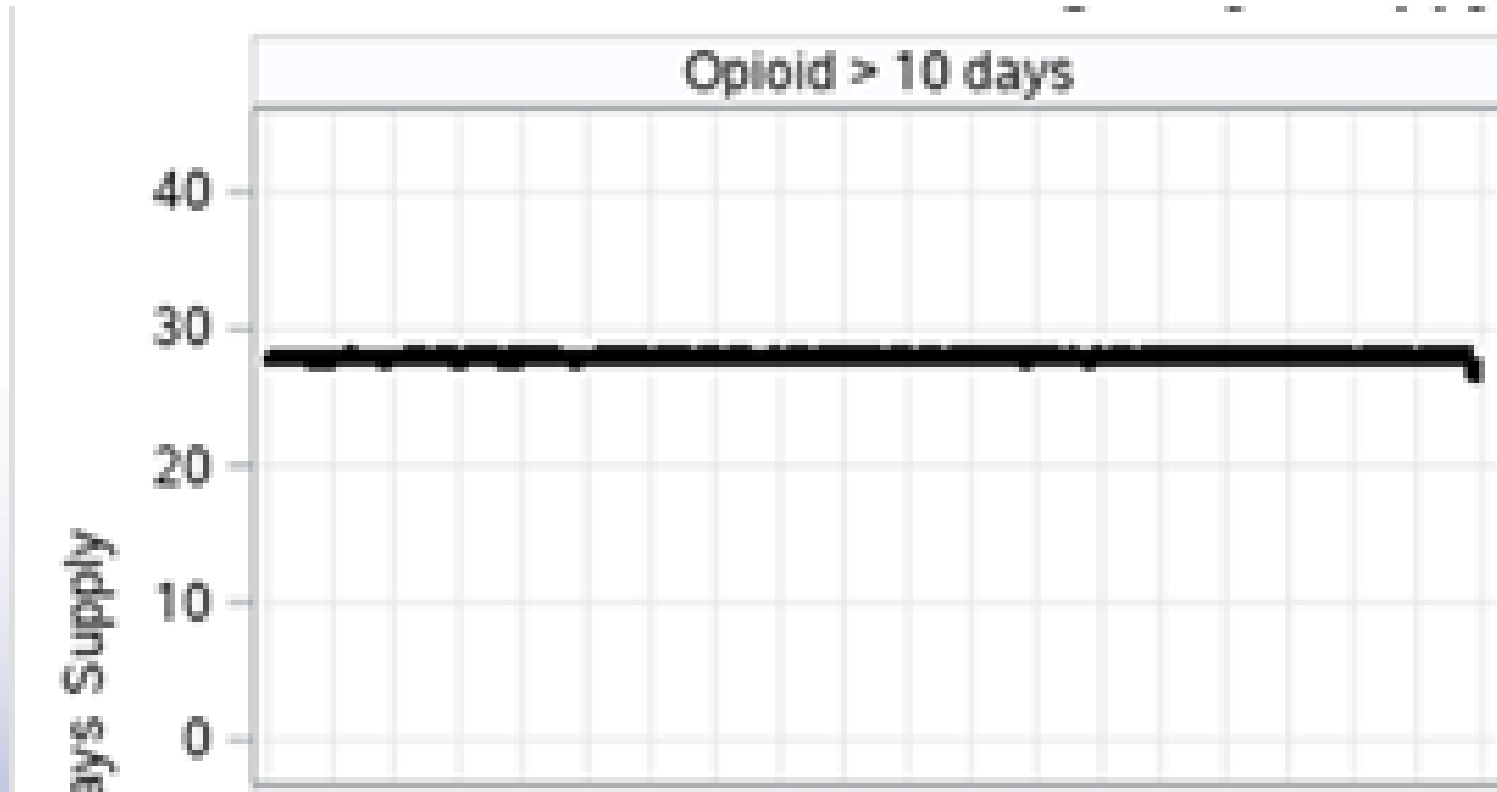
Before Vaccines

- HHS OIG sounded alarm several months before vaccine approval

- Prior to approval, scams involved "pay to play" line placement scams

- Many identity theft scams

After Vaccine Approval

- Vaccine approved, demand exceeds supply
- Fake mobile vaccination sites
- Fake vaccine cards
- Stealing of vials, black market for empty vials
- Admin of poorly handled vaccines
- Billing for the vaccine itself; requiring telehealth visit
- Data shows some getting 5-7 vaccines
- Dose "shorting", nepotism and line jumping

Latest Vaccine Issue

- Vaccine "surveys" and prizes if done
- "Incentives" to get vaccinated
- Some may run afoul of antikickback statute
- Lottery tickets, tuition, beer
- Scammers offer absurd, lucrative incentives, but really avenue for identity theft

Uninsured Program Fraud

- Ignoring insurance and billing to portal

- Calling everything "Rule Out Covid" to bill the program

Possible Future Issues

- Continued billing of uninsured portal

- Genetic testing fraud increasing, and wrapping into grants/research

- Depending on Covid, resurgence of hospice fraud

- Continued increases in DME fraud

- New innovative scams revolving around Covid

Questions?

Marissa Whitehouse (OHIC)

Michael Cohen (HHS-OIG)

Jennifer Trussell (SMPNRC)