Arkansas SMP
Empowering Seniors To Prevent Healthcare Fraud

July—September 2009
Quarterly Publication

NEWSLETTER

To Report Fraud, Waste & Abuse
Call Toll-free 1-866-726-2916

THE H.E.A.T. IS ON!

Attorney General Holder and HHS Secretary Sebelius Announce New Interagency Health Care Fraud Prevention and Enforcement Action Team

Source: HHS.gov

Attorney General Eric Holder and Health and Human Services (HHS) Secretary Kathleen Sebelius today announced the creation of a new interagency effort, the **Health Care Fraud Prevention and Enforcement Action Team (HEAT),** to combat Medicare fraud. Holder and Sebelius also announced the expansion of Strike Force team operations to Detroit and Houston. Medicare Fraud Strike Forces, currently in operation in South Florida and Los Angeles, fight Medicare fraud on a targeted local level.

"With this announcement, we raise the stakes on health care fraud by launching a new effort with increased tools, resources and a sustained focus by senior-level leadership," said Attorney General Holder. "Every year we lose tens of billions of dollars in Medicare and Medicaid funds to fraud. Those billions represent health care dollars that could be spent on medicine, elder care or emergency room visits, but instead are wasted on greed. This is unacceptable, and the Justice Department is committed to working with the Department of Health and Human Services to eradicate it."

"Today, we are turning up the **heat** on perpetrators who steal from the taxpayers and threaten the future of Medicare and Medicaid," said Secretary Sebelius. "Most providers are doing the right thing and providing care with integrity. But we cannot and will not allow billions of dollars to be stolen from Medicare and Medicaid through fraud, waste and serious abuse of the system. It's time to bring the fight against fraud into the 21st century and put the resources on the streets and out into the community to protect the American taxpayers and lower the cost of health care."

> "The American people are some of our best weapons in the fight against Medicare fraud," added Sebelius. "Fraud is happening in communities across the country right now and we need the American people to blow the whistle on thieves and criminals who are stealing from all of us."

The **HEAT** team will include senior officials from DOJ and HHS who **will build upon and strengthen existing programs to combat fraud while also investing new resources and technology to prevent fraud, waste and abuse before it happens.** Efforts will include the expansion of joint DOJ-HHS Medicare Fraud Strike Force teams that have been successfully fighting fraud in South Florida and Los Angeles. Established in 2007, these teams have a proven record of success using a "data-driven" approach to identify unexplainable billing patterns and investigating these providers for possible fraudulent activity. The Medicare Fraud Strike Force team operating in South Florida has already convicted 146 defendants and secured $186 million in criminal fines and civil recoveries. After the success of operations in South Florida, the Medicare Fraud Strike Force expanded in May 2008 to phase two in Los Angeles, where 37 defendants have been charged with criminal health care fraud offenses. To date in the Los Angeles cases, more than $55 million has been ordered in restitution to the Medicare program.

"We know these strike forces work. I believe a targeted civil and criminal enforcement strategy in these locations will have a substantial impact on deterring fraud and abuse, protecting patients and the elderly from scams, and ensuring that taxpayer funds are not stolen," said Attorney General Holder.

Prevention is critical to reforming the system and the **HEAT** team will also focus critical resources on preventing fraud from occurring in the first place. The team will build on demonstration projects by the HHS Inspector General and the Centers for Medicare & Medicaid Services (CMS) that focus on suppliers of durable medical equipment (DME).

These projects increase site visits to potential suppliers to prevent imposters from posing as legitimate DME providers. Other initiatives include:

- Increasing training for providers on Medicare compliance, offering providers the resources and the knowledge they need to help identify and prevent fraud.
- Improving data sharing between CMS and law enforcement so we can identify patterns that lead to fraud.
- Strengthening program integrity activities to monitor and ensure Medicare Parts C (Medicare Advantage plans) and D (prescription drug programs) compliance and enforcement.

The Attorney General and the HHS Secretary also called on the American people to visit a new Web site: **www.hhs.gov/stopmedicarefraud** or call 1-800-HHS-TIPS (1-800-447-8477) to report suspected Medicare fraud.

Fraud prevention efforts are also strengthened in President Obama's proposed Fiscal Year 2010 budget. The President's budget invests $311 million -- a 50 percent increase from 2009 funding -- to strengthen program integrity activities within the Medicare and Medicaid programs. Combined, the anti-fraud efforts in the President's budget could save $2.7 billion over five years by improving oversight and stopping fraud in the Medicare and Medicaid programs, including the Medicare Advantage and Medicare prescription drug programs.

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Wednesday, May 20, 2009
HHS Press Release

FRAUD IN THE NEWS —

Owner of Health Care Agency Pleads Guilty in Medicare Kickback Scheme

Rebecca Sharp, owner of a health care agency, and one of eight defendants charged in a scheme to solicit and pay kickbacks in exchange for Medicare patients, pleaded guilty today, United States Attorney Terrence Berg announced.

Sharp, age 43, from Ypsilanti, pleaded guilty in United States District Court before the Honorable Avern Cohn to Count One of the indictment which charged Sharp with Conspiracy to Violate the Health Care Anti-Kickback Statute.

Under the plea agreement, Sharp faces up to 57 months imprisonment, restitution to the Medicare Program in the amount of $5,220,320.57, and a fine of up to $25,000.00. Sharp also consented to the forfeiture of over $250,000 and three vehicles seized during the investigation.

Special Agent in Charge of the FBI, Andrew Arena said,
"Medicare is based on the honesty and integrity of the program participants. Those who cheat Medicare are cheating the American taxpayers who ultimately bear the financial loss. The FBI is committed to protecting our healthcare systems from fraud and abuse."

Excerpt from FBI Detroit
Department of Justice Press Release
June 15, 2009
http://detroit.fbi.gov/dojpressrel/pressrel09/de061509.htm

THE BELOW ARTICLE IS THE RESULT OF THE WORK STARTED BY THE TEXAS SMP WHICH BEGAN IN 2003 !! WAY TO GO SMPs!

3 convicted in Houston, $36 million Medicare fraud

April 22, 2009

HOUSTON METRO
Associated Press

HOUSTON -- A federal jury in Houston convicted three people in what prosecutors call a $36 million Medicare billing fraud scheme.

Sentencing is June 26 for 45-year-old Rhonda Fleming, 45-year-old Bose Ebhamen and 54-year-old King Arthur.

The U.S. Attorney's Office says the three were convicted Wednesday of health care fraud, conspiracy to defraud Medicare and wire fraud. Fleming and Ebhamen were also convicted of money laundering.

Prosecutors say Fleming owned medical supply companies, as well as a Medicare billing firm. Ebhamen and Arthur were Fleming's business associates.

The three Houston-area residents face prison terms ranging from five to 20 years on each of the various counts.

Fleming remains in custody. Ebhamen and Arthur are free, pending sentencing, but must wear electronic monitoring devices.

SMP SUBGRANTEES

El Dorado Connections RSVP
Linda Fitts
El Dorado, AR 71730
870-864-7080

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The Arkansas SMP is federally funded by the Administration on Aging

Be aware of the following SCAM(S):

Jury Duty Scam

Most of us take those summonses for jury duty seriously, but enough people skip out on their civic duty, that a new and ominous kind of fraud has surfaced.

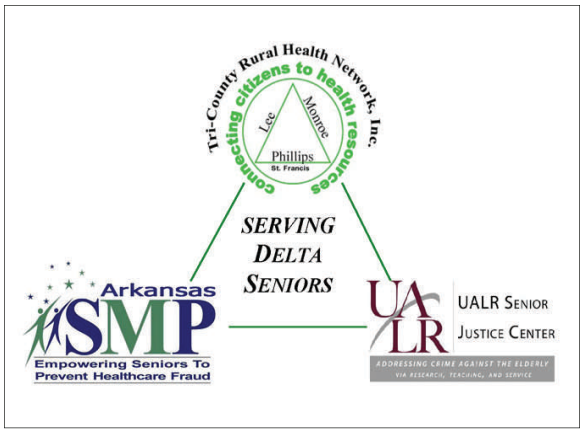
The caller claims to be a jury coordinator. If you protest that you never received a summons for jury duty, the scammer asks you for your Social Security number and date of birth so he or she can verify the information and cancel the arrest warrant. Give out any of this information and bingo; your identity was just stolen.

The fraud has been reported so far in 11 states, including Oklahoma , Illinois , and Colorado . This (swindle) is particularly insidious because they use intimidation over the phone to try to bully people into giving information by pretending they are with the court system. The FBI and the federal court system have issued nationwide alerts on their web sites, warning consumers about the fraud.

http://www.fbi.gov/page2/june06/jury_scams060206.htm

THE DELTA PROJECT

The **Arkansas SMP**, **UALR Senior Justice Center**, and the **Tri County Rural Health Network(TCRHN)** recently partnered to create the Delta Research Project, funded by a grant by the Administration on Aging (AOA) to insure seniors in the Arkansas Delta are aware of the need to prevent Medicare fraud and to insure that they are aware of Medicare and Medicaid benefits available to them through state and federal programs.



In an effort to introduce the project partners and to establish an awareness of the project goals, Community Outreach Events were held in Lee, Phillips, Monroe, and St. Frances counties. Following these events, the project partners met in the homes of over 100 beneficiaries to discuss the best way to get information to them about the various healthcare benefits available to them, as well as to provide information on Medicare fraud prevention.

The project will continue through June of 2010. The program is planning Community Forums where beneficiaries who participated in the previous in-home interviews (along with any beneficiaries wanting to attend the forums) are encouraged to provide suggestions, discuss the healthcare needs of the community, and to receive additional project information.

UPCOMING EVENTS

PROTECTING ARKANSANS
REGISTRATION 8:30 AM
9AM—1:30 PM

AUGUST 12 ……..……**AETN** CALL-IN — Conway, AR
7pm—9pm

OCTOBER 6……..…..**El Dorado, AR

OCTOBER 7……..……..……..**Texarkana, AR

NOVEMBER 4 ……..……...….West Memphis, AR
Eugene Woods Civic Center

****Location TBD**
Go to http://www.daas.ar.gov/asmp.html for updated information regarding locations for these events.

OCTOBER 28-30……..……..……....Arkansas Aging Conference
Hot Springs, AR

MEDICARE PROTECTION TOOLKIT

Steps To Safeguard Your Medicare

Before joining a Medicare Advantage Plan, please read the **Medicare Protection Toolkit** to make sure a Medicare Advantage plan is the right type of plan for you and your medical needs!

The Toolkit is available for download —Log onto:
http://www.daas.ar.gov/pdf/medicareprotectiontoolkit08rev.pdf

Or call **1-866-726-2916** for your free copy.

Questions about Medicare?

Go to: www.Medicare.gov or Call: 1-800-MEDICARE

To receive an electronic version of the Arkansas SMP Newsletter

Email:
kathleen.pursell@arkansas.gov

Kathleen Pursell, Editor

Access the newsletter by visiting our website at:
www.daas.ar.gov/asmp.html

WE ARE ALWAYS LOOKING FOR VOLUNTEERS LIKE YOU!

Would you like to speak to your friends, or your church group, bridge club, golf club, civic club, or any other group or organization you are involved with? Maybe you would like to distribute materials in your area, or host a booth at a community event? Perhaps assisting other seniors with Part D enrollments would interest you! —There are plenty of opportunities awaiting you as a volunteer with the SMP program.

Please contact Kathleen.pursell@arkansas.gov;
or call (501) 682-8497; or toll-free 1-866-726-2916

"No matter how big and powerful government gets, and the many services it provides, it can never take the place of volunteers."
— *RONALD REAGAN*

FRAUD FACTS

HOW YOU CAN HELP PREVENT HEALTHCARE FRAUD & ABUSE:

The Federal government estimates that 10% (or $1 out of every $10) of all Medicare funds is lost to fraud, waste and abuse.

What is Medicare Fraud, Waste and Abuse?

INTENTIONAL misrepresentation, or intentionally billing Medicare for services or products that were not received or delivered.

A few examples of provider fraud, errors and abuse:

→ Falsifying claims or medical records;
→ Misrepresenting description of products or services rendered, i.e. Upcoding or billing for items or services of a greater quality or price than was received;
→ Providing and submitting claims for services that are not medically necessary;
→ Waving deductibles and/or co-pays;
→ Unbundling or charging separately for services or items that Medicare pays as one combined total amount;
→ Double billing or billing more than once for the same service or product;
→ Refusing access to medical records.

You can help prevent fraud, waste and abuse by following these three simple steps:

PROTECT, DETECT & REPORT!

1. **Protect** your Medicare number as you would a credit card or Social Security #!
2. **Detect** improper billing by reviewing your MEDICARE SUMMARY NOTICE!
3. **Report** any errors on your Medicare Summary Notice by calling the SMP toll-free :

1-866-726-2916

The **Arkansas SMP** educates and empowers people with Medicare to take an active role in detecting and preventing health care fraud and abuse. There is an SMP Program in every state as well as the District of Columbia, Guam, U.S. Virgin Islands and Puerto Rico.

For more information visit:
www.daas.ar.gov/asmp.html

DID YOU KNOW ?

Current AARP members can enjoy Arkansas Travelers baseball **Sunday home games for FREE!**

Take your current AARP card and get a regular $6 general admission ticket absolutely free! Upgrading to a reserved seat will cost $2. Everyone must have a ticket to get in.

Check the game schedule at :
www.travs.com

SWINE FLU *And* MEDICARE ANTIVIRAL COVERAGE

Antiviral medications, **Tamiflu** and **Relenza,** are covered under ***most*** Medicare Part D plans.
Check with your plan!

Just for laughs

I felt like my body had gotten totally out of shape, so I got permission from my doctor to join a fitness club and start exercising. I decided to take an aerobics class for seniors.

I bent, twisted, gyrated, jumped up and down, and perspired for an hour. But, by the time I got my leotards on, the class was over!

Is there opportunity for an SMP presentation in your area? 1-866-726-2916

DOUGHNUT HOLE CALCULATOR

This summer, more than one million older Americans will be forced into the "doughnut hole"- a coverage gap in Medicare Part D that requires enrollees to pay all of their medication costs. For many, the doughnut hole is simply unaffordable. AARP is launching a new free online resource to help these and other older Americans avoid this dreaded coverage gap.

The AARP Doughnut Hole Calculator, at

www.aarp.org/doughnuthole

is available at no cost, and guides visitors through their options using localized information about their plans to determine if or when they will fall into the gap. In less than 15 minutes, visitors can view a graph of their out-of-pocket spending by Part D month, look up lower cost alternatives for their conditions, and print out personalized letters to their doctors or other health care providers to help start a conversation about safely switching to lower cost alternatives.

> ***Even if you don't fall into the "doughnut hole," this free calculator may help you save money. Take a few minutes to try it today!***

It might be helpful if you gather your prescription medications and your drug plan card before you start. Then log on to the link and follow these 4 easy steps:

HOW IT WORKS:

Step 1: Select Plan. Enter your ZIP code and select a plan from a list of drug plans.
Step 2: Enter Drugs. Enter the name of each of your drugs, its dosage, and how often you take it. Click NEXT.
Step 3: View Report. View graph that shows where in the year you're likely to hit the doughnut hole, and what your annual costs, premium, deductible and catastrophic coverage will look like.
Step 4: See Options. Explore options that could reduce your expenses and stretch your coverage. Print out the information to take to your doctor to ask whether switching to the less expensive medications would work for you.

A Great Tool! Easy to Use!

NEW in 2009 the Centers for Medicare and Medicaid Services (CMS) is happy to bring to Medicare beneficiaries an electronic option to getting their ***Medicare & You*** handbooks each year.

In an effort to *go green* and save taxpayer dollars, starting this fall all Medicare beneficiaries who sign up on **http://www.mymedicare.gov/** by May 31, 2009 will get their Medicare & You books electronically. Those that miss the cut off date can still sign up but will get their books electronically starting fall of 2010.

MyMedicare.gov is a great resource for you to view, verify and keep track of **your** Medicare claims and medical history on line! And it will help make searching for answers through the **Medicare & You** handbook easier.

When will Medicare pay for Durable Medical Equipment (DME)?

To get Medicare to cover your durable medical equipment (DME), **your doctor or home health agency must fill out an order or prescription** and explain why you need the item (**medical necessity**).

Once you have the doctor's order or prescription, you can take it to any **Medicare-enrolled supplier**.

Medicare will pay 80 percent of its approved amount (after you meet your Part B deductible) and you or your supplemental insurance pay the balance. However, **you can save a lot of money by going to a supplier who also accepts Medicare's "assignment",** meaning they take Medicare's approved amount for an item as payment in full.

Medicare will generally only pay for the **most basic form of the equipment** that you need.

DO YOU QUALIFY FOR EXTRA HELP?

You can avoid the donut hole or gap altogether if you're eligible for the Medicare **Extra Help Program**.
Find out if you qualify:

https://secure.ssa.gov/apps6z/i1020/main.html

Dear Marci

Your trusted source for Medicare answers.

Dear Marci,

www.medicarerights.org

My mom passed away and my dad is a bit frail. He could really use some help with the cooking and cleaning. Will Medicare pay for this?

—Hallie (Tallahassee, FL)

Dear Hallie,

If your father were to become homebound and require skilled care, Medicare would pay for a home health aide to primarily provide personal services (like bathing and dressing). The home aide might also provide some additional services like cooking and cleaning ("custodial services"). Medicare will only directly cover custodial services as part of end-of-life (hospice) care. Overall, Medicare covers *very few* long-term care services.

— Marci

Aging Arkansas
Newspaper

The award-winning newspaper, *Aging Arkansas*, is a monthly newspaper especially for seniors and provides information and education on issues important to seniors. The paper is available by subscription.

Please contact the newspaper to subscribe:
(501) 376-6083

WHEN IN DOUBT, CHECK IT OUT!

A flyer in the mail, a phone call, a personalized email — everyone receives telemarketing, direct mail, email and online ads. Unfortunately, scam artists also use these techniques. Take your time and familiarize yourself with the company, organization or charity before getting involved with them!

The Better Business Bureau (BBB) has just updated their ratings! Before doing business with anyone you are unfamiliar with, check them out! Check with the BBB if you have any questions regarding a company or organization you are considering doing business with.

Call 501-664-7274 or log onto: www.bbb.org

To check out a particular **CHARITY**, log onto the AR Attorney General's database:
www.arkansasag.gov/charity/search.php

What is a Medicare Summary Notice (MSN)?

The **MSN** is a **summary of claims for health care services Medicare processed for you during the previous three months**. You may recognize it as the document from CMS that states at the top: ***' THIS IS NOT A BILL'.***

MSNs are mailed every three months and contain information about submitted charges such as the amount that Medicare paid, and the amount you may be responsible for. Please review these charges and verify that the claims filed on your behalf are accurate — Just like you would check a statement from your credit card company showing charges you owe. If there is a discrepancy on your **MSN,** please call the provider or call the SMP—**1-866-726-2916**.

Try to save your **MSNs** for about seven years.

If you have lost your **MSN** or you need a duplicate copy, call 800-MEDICARE or sign up for MyMedicare.gov and have access to your personal Medicare claims and information. On MyMedicare.gov you can view the **MSN** as well as request a copy to be mailed to you.

DON'T THROW IT AWAY!!!

YOU *MUST* READ IT!

It is up to YOU to review this summary and verify that these claims are accurate.

Ask yourself this question: ***Did I actually receive these products and/or services that Medicare paid for on my behalf?***

IMPORTANT PHONE NUMBERS:

AANHR - AR Advocates for Nursing Home Residents **501-224-8431**
AFMC - Arkansas Foundation for Medical Care **1-800-272-5528**
Arkansas Attorney General **1-866-810-0016**
Arkansas Attorney General Consumer Protection Division **1-800-482-8982**
APS Hotline - Adult Protective Services **1-800-482-8049**
AR-GetCare (Directory of Community-Based Services) **1-866-801-3435**
Arkansas SMP **1-866-726-2916**
(Empowering Seniors to Prevent Healthcare Fraud)
Better Business Bureau (BBB) **501-664-7274**
CMS— Centers for Medicare and Medicaid Services (Fraud Unit) **1-800-633-4227**
Community Health Centers of Arkansas **1-877-666-2422**
DHS—Choices in Living Resource Center 1**-866-801-3435**
Do Not Call Registry **1-888-382-1222**
Elder Care Locator **1-800-677-1116**
Federal Trade Commission Report STOLEN IDENTITY **1-800-438-4338**
Medicaid (Customer Assistance Unit) **1-800-482-8988**
Medicaid (Arkansas State) **1-800-482-5431**
MEDICARE (1-800-Medicare) **1-800-633-4227**
Medicare Part D **1-877-772-3379**
Medicare Rights Center—Medicare Assistance Hotline **1-800-333-4114**
National Consumer Technical Resource Center **1-877-808-2468**
National Medicare Fraud Hotline (1-800-HHS-TIPS) **1-800-447-8477**
OLTC - Office of Long Term Care **1-800-LTC-4887**
OLTC—Abuse Complaint Section **501-682-8430**
Ombudsman—Statewide—Office of Long Term Care **501-682-8952**
Senior Circle (Northwest Health System)—Fun, fellowship, discounts, privileges **1-800-211-4148**
SHIIP - State Health Insurance Information Program **1-800-224-6330**
SSA (Social Security Administration) **1-800-772-1213**
Little Rock Office… **1-866-593-0933**
UALR Senior Justice Center **501-683-7153**
UofA Cooperative Extension Service **501-671-2000**

HELPFUL WEBSITES:

AR-GetCare— www.ARGetCare.org
(Directory of Community-Based Services)
AR Advocates for Nursing Home Residents— www.aanhr.org; email: Info@aanhr.org
AR Long Term Care Ombudsman Program— www.arombudsman.com
Arkansas 2-1-1— www.arkansas211.org
(Get Connected. Get Answers)
Arkansas Attorney General— www.arkansasag.gov
Arkansas Attorney General Consumer Protection Division—email: consumer@ag.state.ar.us
Area Agencies on Aging— www.daas.ar.gov/aaamap.html
Arkansas Foundation for Medical Care— www.afmc.org
Arkansas SMP—www.daas.ar.gov/asmp.html
BBB (Better Business Bureau)—www.bbb.org
(CMS) Centers for Medicare and Medicaid Services— www.cms.hhs.gov
Elder Care Locator— www.eldercare.gov
H.E.A.T—Healthcare Fraud Prevention and Enforcement Action Team (Turning Up the HEAT to Stop Medicare and Medicaid Fraud— http://www.hhs.gov/stopmedicarefraud/
MEDICARE— www.medicare.gov
Medicare Interactive Counselor— www.medicareinteractive.org
Hospital Compare— www.hospitalcompare.hhs.gov
MyMedicare.gov— www.mymedicare.gov
(Access to your personal Medicare information)
MyMedicareMatters.org (National Council on Aging)
Office of Long Term Care— www.medicaid.state.ar.us/InternetSolution/general/units/oltc/index.aspx
Office of Inspector General— email: HHSTips@oig.hhs.gov
Pharmaceutical Assistance Program— medicare.gov/pap/index.asp
Social Security Administration— www.ssa.gov/dallas/state_ar.html
UofA Cooperative Extension Service— www.uaex.edu or www.arfamilies.org
Working Disabled—www.workingdisabled-ar.org

OUR MISSION

TO EMPOWER SENIORS

*Medicare/Medicaid beneficiaries
*People with disabilities
*Nursing home residents & their families
*Caregivers

TO PREVENT HEALTHCARE FRAUD

Protect Personal Information

- Treat Medicare/Medicaid and Social Security numbers like credit card numbers
- Remember, Medicare will not call or make personal visits to sell anything!
- READ and Save Medicare Summary Notices (MSN) and Part D Explanation of benefits (EOB), but **shred** before discarding

Detect Errors, Fraud, and Abuse

- Always review MSN and EOB for mistakes
- Compare them to prescription drug receipts and record them in your journal
- Visit **www.mymedicare.gov** to access your personal account online to look for charges for something you did not get, billing for the same thing more than once, and services that were not ordered by your doctor, etc.

Report Mistakes or Questions

- If you suspect errors, fraud, or abuse, report it immediately! Call your provider or plan first.
- If you are not satisfied with their response, call the Arkansas SMP

TO RECRUIT & TRAIN VOLUNTEERS

- Retired seniors
- Retired healthcare providers
- Retired professionals, *e.g.*, teachers, accountants, attorneys, investigators, nurses

P. O. Box 1437 Slot S530
Little Rock, AR 72203-1437
Toll-Free: 1-866-726-2916
http://www.daas.ar.gov/asmp.html