



South Fork Physical Therapy

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Education concerning the Detection of Fraud, Waste and Abuse and False Claims Liability

Scope:

BlueCaresSM and TennCare*Select*

Purpose:

To ensure this organization complies with federal and state laws that detect and prevent Fraud, Waste and Abuse in federal health care programs.

Policy and Procedure:

FRAUD AND ABUSE

South Fork Physical Therapy and Rehab, PLLC cooperates with all state and federal agencies in the investigation of fraud and abuse. Reportable fraud and abuse includes suspected fraud and abuse in the administration of the TennCareSM program, Provider fraud and abuse, and Member fraud and abuse. Any suspected fraud and abuse will be reported to the Tennessee Bureau of Investigation Medicaid Fraud Control Unit and the Office of Inspector General. Any suspected fraudulent activity will be reported to any of the following:

- BlueCross BlueShield of Tennessee's Fraud and Abuse Hotline at 1-888-343-4221;
- Online with BlueCross BlueShield of Tennessee at <http://www.bcbst.com/fraud/index.page>;
- Call the Bureau of TennCare from anywhere in Tennessee at 1-800-433-3982; or
- Log onto www.tn.gov/tnoig/ReportTennCareFraud.shtml and follow the prompts for "Report Fraud Now".

In 2005, Congress passed The Deficit Reduction Act (DRA), a piece of legislation that impacted many areas of American government and commerce. The DRA included provisions that have an impact on Federal Health Care Programs. Federal Health Care Programs include: (1) Any plan or program that provides health benefits, whether directly, through insurance, or otherwise, which is funded directly, in whole or in part, by the United States Government; or (2) Any State health care program, as defined in section 1320a-7 (h) of this title. This organization falls under that definition.

The DRA changes that impacted Federal Health Care Programs became effective on January 1, 2007. Because this organization is a provider for a Federal Health Care Program, **South Fork Physical Therapy and Rehab, PLLC** is required to be compliant with several new requirements promulgated by the legislation including whistleblower protections. Specifically, this organization will train all staff on the provisions of the False Claims Act.

The False Claims Act provides Liability for certain acts.

FALSE CLAIMS ACT (Title 31, Section 3729)

(a) Liability for Certain Acts. — Any person who—

- Knowingly presents, or causes to be presented, to an officer or employee of the United States Government or a member of the Armed Forces of the United States a false or fraudulent claim for payment or approval;
- Knowingly makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the Government;
- Conspires to defraud the Government by getting a false or fraudulent claim allowed or paid;
- Authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true;

