



CALIFORNIA HEALTH ADVOCATES
Medicare: Policy, Advocacy and Education

Healthcare Fraud: An Advocates' Guide to Protecting Your Clients

AASC SoCal Chapter

July 13, 2022

Micki Nozaki



SMP
Senior Medicare Patrol
Preventing Medicare Fraud

This project was supported, in part by grant number 90MPPG0019-04-00 from the U.S. Administration for Community Living, Department of Health and Human Services.

Myth: Healthcare Fraud is a Victimless Crime



Major Hospital Chain Fined

- 2013 – 2018
- Unnecessary surgeries
- Productivity Metric
- Over-operated, severe complications
- Outcomes falsified, undocumented
- Defrauded Medicare and others
- Multiple concerns ignored



Do You Know ...

- SMP offers free services to AASC members such as online Medicare Basics, Fraud Prevention presentations, fraud prevention materials?
- AASC members can request fraud presentations regularly, e.g., quarterly or semi-annually?

California Senior Medicare Patrol

- Education is awareness
- 25 years (DHHS)
- Fraud prevention education
- Fraud Hotline
- Partners, grants, prizes



SMP

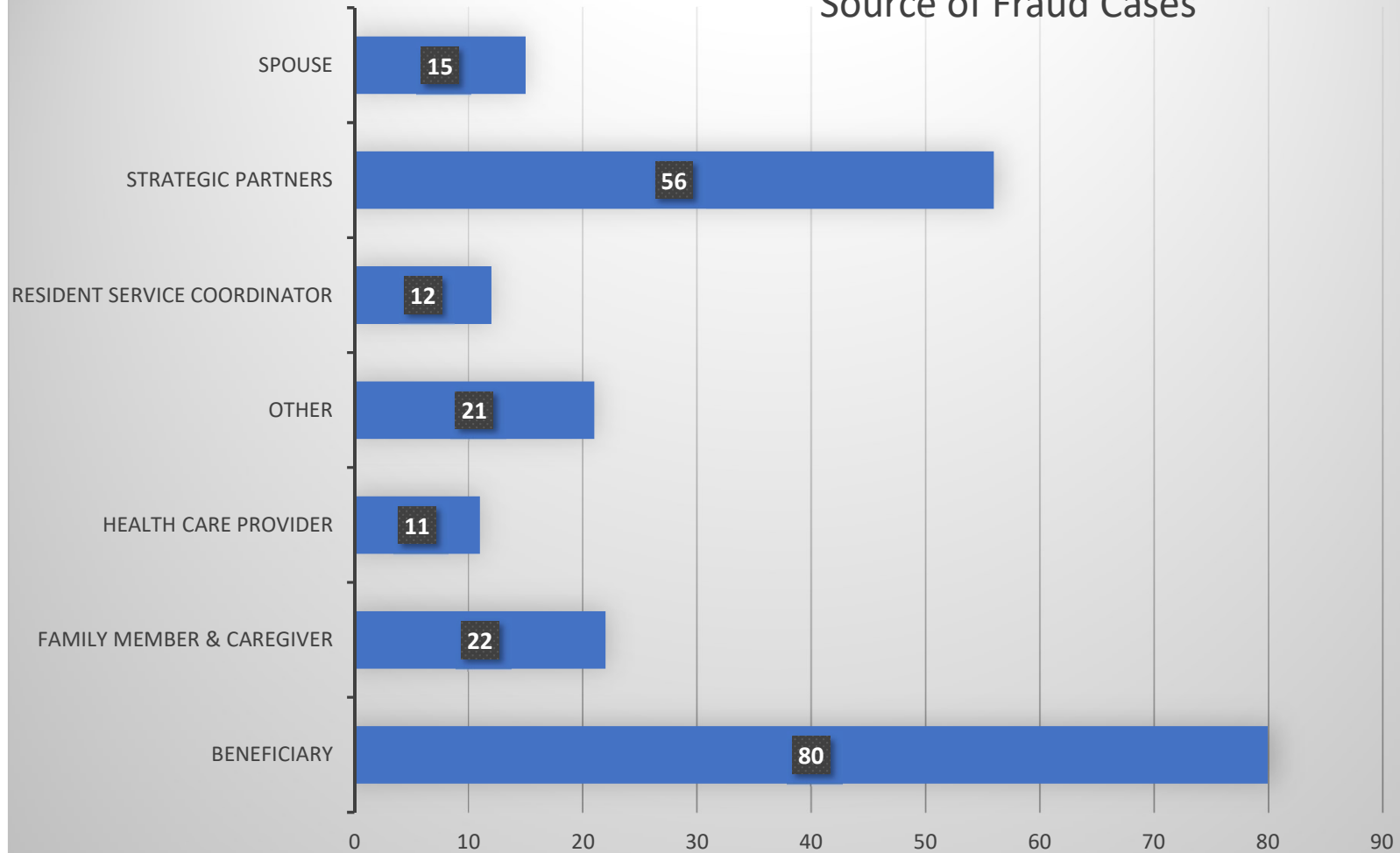
Senior Medicare Patrol

Preventing Medicare Fraud

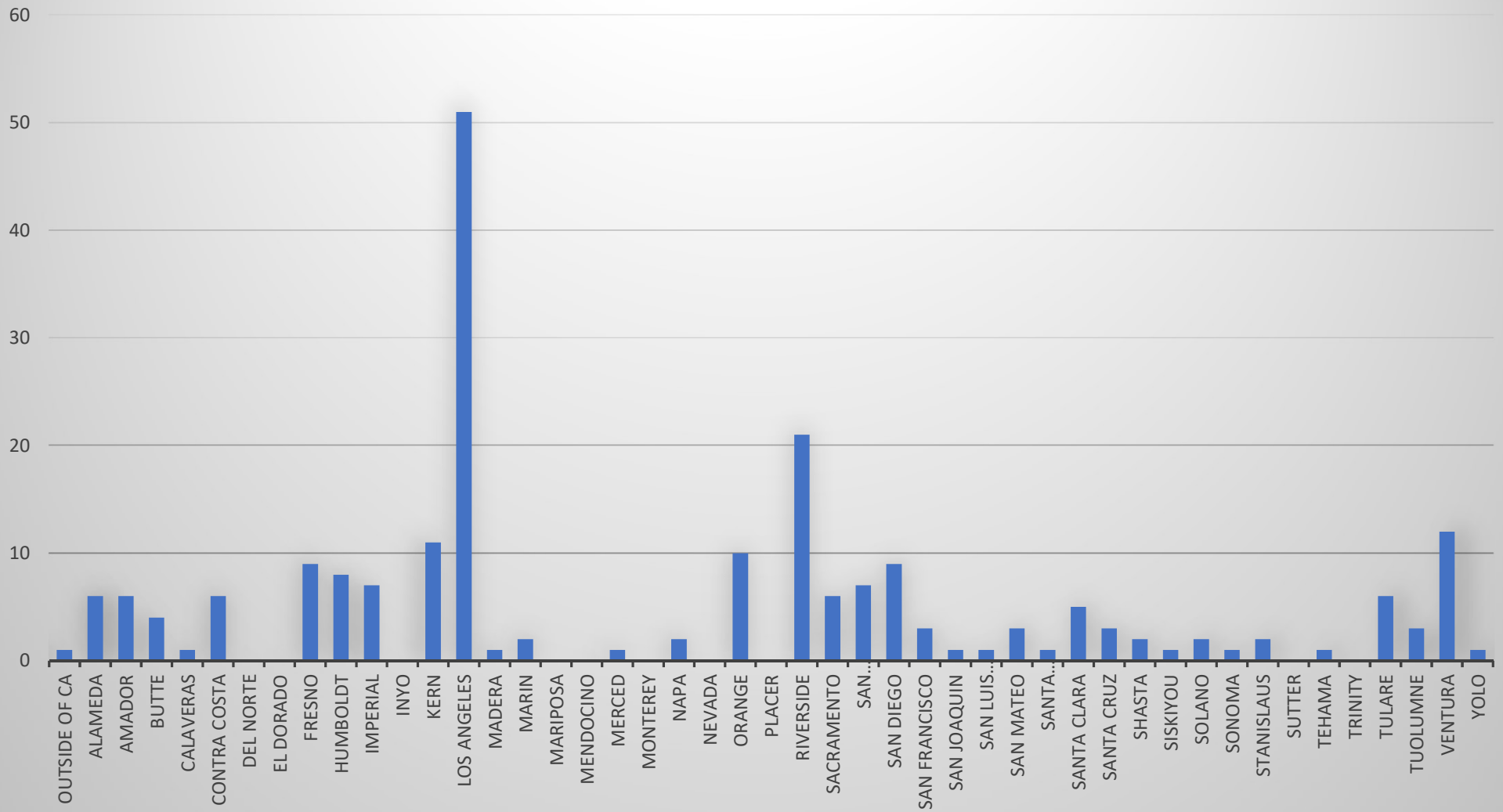
855-613-7080

www.cahealthadvocates.org

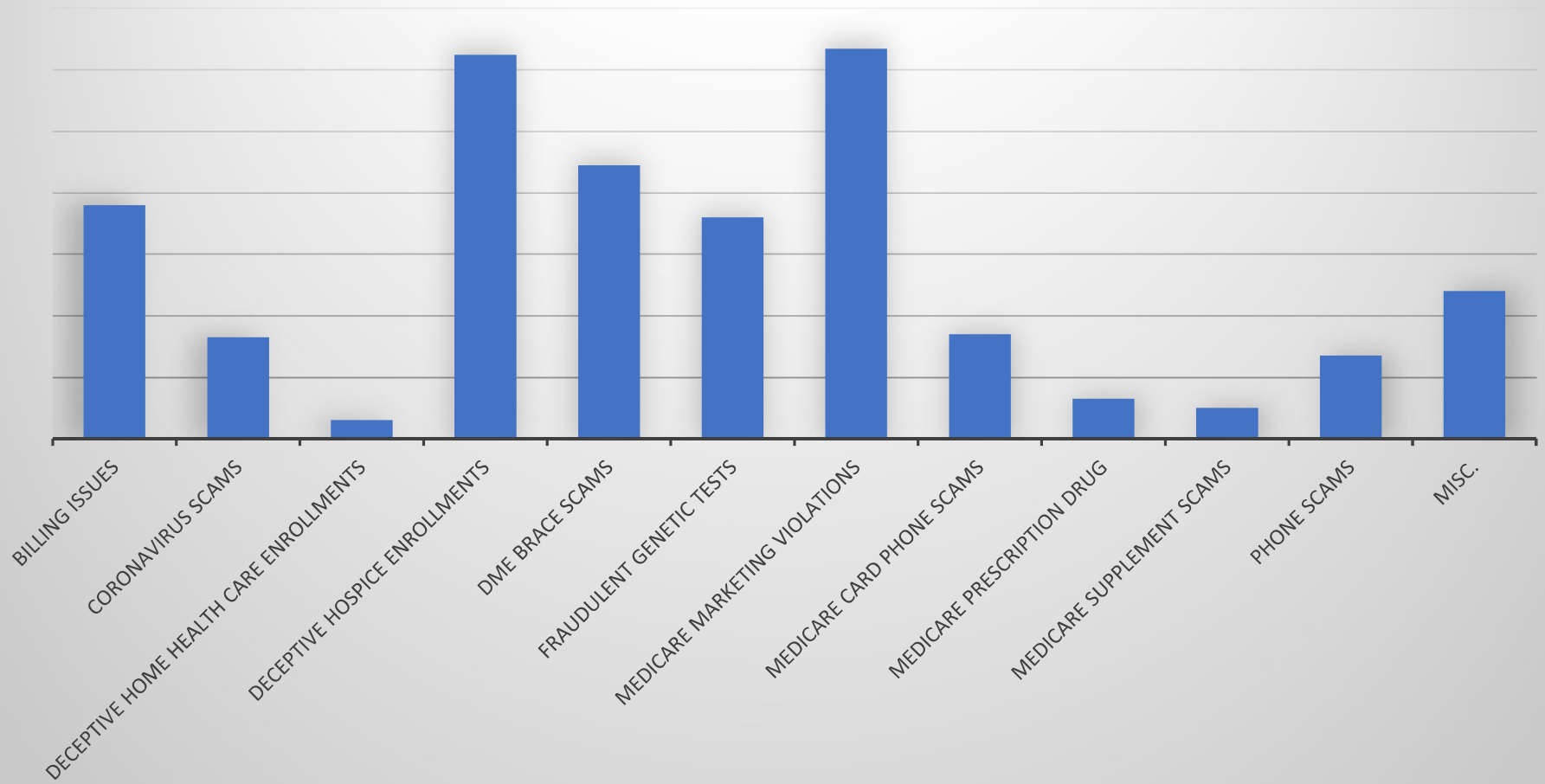
Source of Fraud Cases



Hot Line Complaints by County



SMP Fraud Complaints



Misleading Marketing

- “\$\$\$\$ back to your Social Security!”
- “Best Medicare plan since sliced bread!”
- Report complaints to SMP
- Disenroll and re-enroll



Cold calls and TV ads

- attractive benefits
- may misinform the beneficiary about keeping their current providers and specialists

Mail about Medicare

- looks official, but has a small disclaimer saying they are not affiliated with CMS
- indicates a response is needed, urgent request

HICAP - free, unbiased Medicare info

1-800-434-0222

A Story About

Betty & the Medicare Health Plan

MAKING THE RIGHT CHOICE

Avoid Medicare Scams!

Each year from October 15 to December 7, Medicare offers its beneficiaries the opportunity to make changes in coverage. It's always a good idea to compare your current coverage to see which plan fits best during Open Enrollment. For free, unbiased Medicare counseling, call the Health Insurance Counseling and Advocacy Program (HICAP) at 1-800-434-0222.

Oh! I don't know it's all so confusing. I like my current plan... and my doctor! Do I really have to switch plans each year?

If you are satisfied with your plan, you do not need to change anything.

Medicare plans must follow rules when they market plans. They cannot:

- Pressure you to join their plan by saying things like "you have to join this plan or you won't have coverage next year"
- Come to your home unlimited.
- Send you unsolicited emails or harass you by telephone.
- Offer you cash or groceries to join their health plan.
- Sell you a non-health related product like an annuity or life insurance policy.
- Sign a health plan enrollment form for you.

If you decide to switch health plans:

- You should make sure that the doctors you want to continue to see will accept your new plan.
- You should make sure that the medications you have been prescribed are included in the new plan's formulary.

Senior Medicare Patrol
empowers people like you to beware of identity thieves and misleading information. To report Medicare fraud or marketing violations, call our SMP helpline at 1-855-613-7080

Avoid Medicare Fraud & Scams!

Never give your MEDICARE NUMBER to a stranger or to anyone you don't trust!

To report fraud call
Senior Medicare Patrol:
(855) 613-7080

California
SMP Senior Medicare Patrol
Empowering Seniors to
Protect Healthcare Fraud
www.cahealthadvocates.org

Billing Complaints



“My provider is billing me, but my MSN shows I have a zero-patient responsibility.”

“The facility where my dad resides was on COVID-lockdown on the dates of services that the provider claims she provided monthly earwax removal. There is no way he received these services.”

“I saw the neurologist twice, but my MSN shows additional visits that did not occur and added charges on the visits I did have.”

Do You Know ...

- If a resident reviews their medical statements and has questions or suspicions of fraud, AASC members can call SMP?

Red Flags on an MSN

Help prevent Medicare fraud by checking these things

Anita Doe

THIS IS NOT A BILL | Page 4 of 5

November 28, 2019

Leo Zygelman, CH, (555) 555-123

200 West Center St, Manchester CT 06040-0000

Is this a provider you know?

Service Provided & Billing Code	Service Approved?	Amount Provider Charged	Medicare-Approved Amount	Medicare Paid You	Maximum You May Be Billed	See Notes Below
Chiropractic manipulative treatment, 3 to 4 spinal regions (98941-GA)	NO	\$40.00	\$0.00	\$0.00	\$40.00	D
Total for Claim #02-11040-307-640			\$0.00	\$0.00	\$40.00	E

Did you receive services on this day?

December 25, 2019

Joshua Richards, M.D., (555) 555-1234

848 Scioto St, Urbana, OH 43078-2255

If you live in CT, did you really receive services in OH?

Service Provided & Billing Code	Service Approved?	Amount Provider Charged	Medicare-Approved Amount	Medicare Paid You	Maximum You May Be Billed	See Notes Below
Established patient office or other outpatient visit (98213-GA)				00	\$0.00	F,G
Total for Claim #02-11040-517-100				00	\$0.00	E

Do any services appear twice when they shouldn't?

SUPPORTED BY GRANT # 90MPRC0001 FROM ACL

Medicare fee for service / Original Medicare
- Quarterly Medicare Summary Notice

Medicare Advantage plan

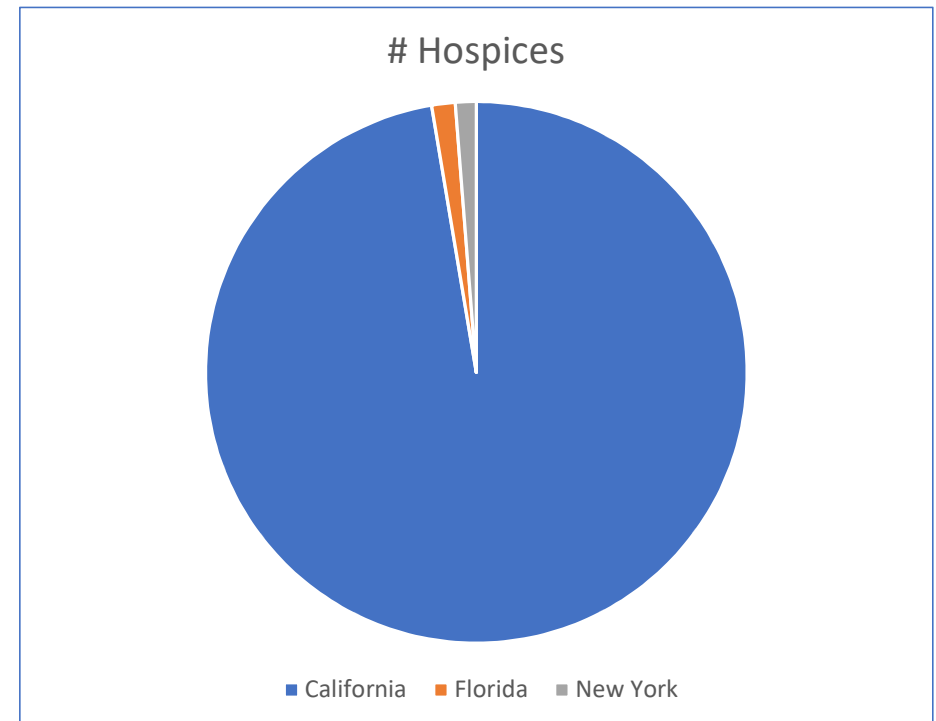
- Monthly Explanation of Benefits

Prescription Drug plan

- Monthly Explanation of Benefits

California – Hotbed for Hospice Fraud

- False promises
- Caregiver respite
- “inject them with morphine - if not profitable make this patient go bye-bye”
- Fraudulent claims, big payouts
- Disenroll challenges
- Curative healthcare denied



Hospice agencies are NOT calling themselves a hospice agency. Instead, they call themselves a:

- government program to help seniors during COVID
- assistance program
- cooking and cleaning agency

Offer incentives in exchange for a beneficiary's Medicare number:

- cooking & cleaning services
- free wheelchairs, shower chairs
- meds delivered at home
- free shampoo, lotion, gloves, hand sanitizer
- nurse visits at home
- money



HOSPICE FRAUD ALERT!

Have you suddenly lost access to your doctor?

Are your specialists refusing to see you?

Can't get your medications at the pharmacy?

California SMP
Senior Medicare Patrol

For additional information on healthcare fraud, visit cahealthadvocates.org

BEWARE!

You may have been tricked into signing up for a program that is **medically unnecessary** for you. Hospice is a benefit, covered by Medicare and it is meant for Medicare beneficiaries with a terminal illness.

Some hospice agencies may approach you outside of supermarkets or may show up to your home unannounced and recruit non-terminally ill Medicare beneficiaries by offering you free items or services and calling themselves a "program that helps seniors."

If you or someone you know signed up for free services but now face issues accessing medical care, please contact the Senior Medicare Patrol immediately at:

855-613-7080

This project was supported, in part, by grant 50MRPG00116-04-00, from the U.S. Administration for Community Living, Department of Health and Human Services, Washington, D.C. 20201.

Victims of Hospice Fraud



Hospice Care

- Hospice helps people who are terminally ill live comfortably.
- Provider and hospice doctor must certify eligibility
- The focus is on comfort (palliative care) not on curing an illness
- A specially trained team of professionals and caregivers provide care for the “whole person,” including physical, emotional, social, and spiritual needs
- Services typically include physical care, counseling, drugs, equipment, and supplies for the terminal illness and related conditions
- Care is generally given in the home
- Family caregivers can get support

What your Hospice Benefit Won't Cover

- When you start hospice care, you've decided that you no longer want care to cure your terminal illness and related conditions
- Medicare won't cover any of these once your hospice benefit starts:
- **Treatment intended to cure your terminal illness and/or related conditions.**
- **Prescription drugs** (except for symptom control or pain relief).
- **Care from any provider that wasn't set up by the hospice medical team.**
- **Room and board.**
- **Care you get as a hospital outpatient (like in an emergency room), care you get as a hospital inpatient, or ambulance transportation.**

What Medicare Covers

- Doctor services , nursing care
- Medical equipment (like wheelchairs or walkers)
- Medical supplies (like bandages and catheters)
- Prescription drugs
- Physical and occupational therapy
- Speech-language pathology services
- Social worker services
- Dietary counseling
- Grief and loss counseling for you and your family
- Short-term inpatient care (for pain and symptom management)
- Short-term respite care

How Long you can get Hospice Care

- Hospice care is for people with a life expectancy of 6 months or less
- If you live longer than 6 months, you can still get hospice care, as long as the hospice medical director or other hospice doctor recertifies that you're terminally ill
- Hospice care is given in benefit periods
- You can get hospice care for two 90-day benefit periods followed by an unlimited number of 60-day benefit periods. At the start of the first 90-day benefit period, your hospice doctor and your regular doctor (if you have one) must certify that you're terminally ill (with a life expectancy of 6 months or less)

“Are you in pain, we have what you need”

Phone calls, Robocalls

TV ads

Facebook and Instagram posts

Vendors set up shop near your sites

A poster with a photograph of an elderly woman with blonde hair, wearing a white sweater, looking upwards with a pained expression. The background is a bright, out-of-focus indoor setting. The poster has a blue and yellow geometric design at the bottom.

**Back
Brace
Fraud
Alert**
2019

**CALIFORNIA
SENIOR MEDICARE
PATROL WARNING!**

Beware of Offers for "Free" Braces Covered by Medicare

Individuals offering Medicare 'free or low-cost' knee, back and other orthotic braces could be using the medical equipment benefit to commit Medicare fraud and abuse.

855-613-7080

For additional information
on healthcare fraud, visit
cahealthadvocates.org

California
SMP
Senior Medicare Patrol
Empowering Seniors To
Prevent Healthcare Fraud

Find additional details on this fraud alert on the reverse side.

Telemarketers & RoboCalls



Tele-Doctors



Pharmacy, Lab, Equipment Company



**Beneficiary gets braces
and
\$25 bill for telemedicine**

Medical Equipment Fraud

\$110 Million Telemarketing Fraud

- Operate in multiple states
- Use call centers in U.S. and abroad
- Purchase patient data
- Write medically unnecessary orders
- Orthotics, braces
- Fax orders to providers



Cardiac Genetic Testing Fraud

- “Medicare phoned me about a cardiovascular test. ... sending a package with a swab stick ... verify my Medicare #, which I did. HELP!”
- “My health plan called ... I have to submit to a cardiac swab test or I may lose my benefits. I gave them my Medicare #. DID I DO WRONG?”



Cardiac Genetic Testing Fraud

- Perform medically unnecessary lab tests
- Exploit patient fears
- Bundle COVID-19 testing
- Add expensive tests
- Falsely bill Medicare for millions \$\$\$\$

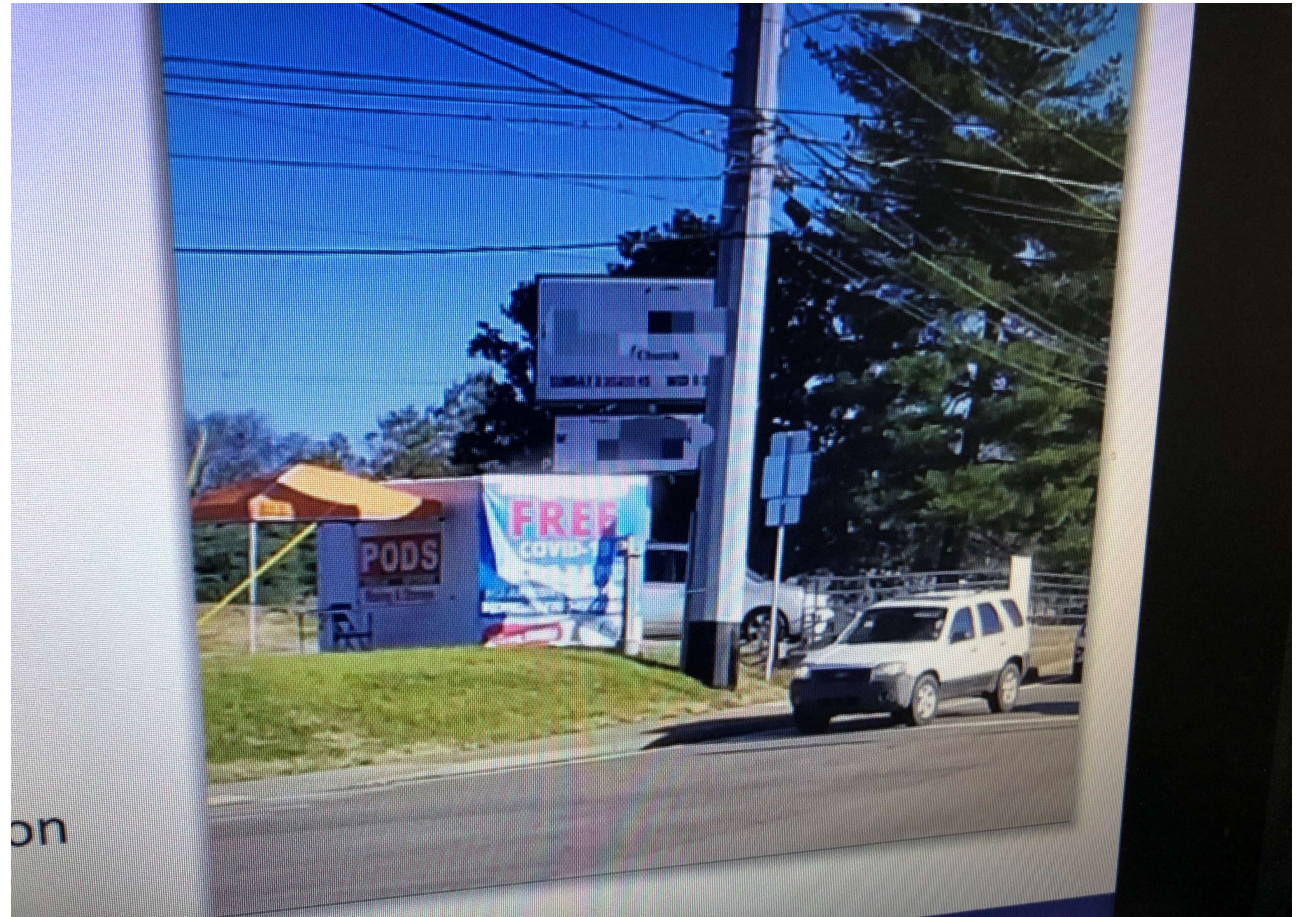


Do You Know ...

- SMP fraud presentations are available in English and Spanish?
- SMP fraud presentations can be coordinated with AASC members to accommodate non-English speakers?
- SMP fraud prevention materials are available in Spanish, Vietnamese, Chinese, Korean, Russian, Tagalog, Farsi, Arabic, Armenian
- AASC members can request fraud prevention materials in additional languages?

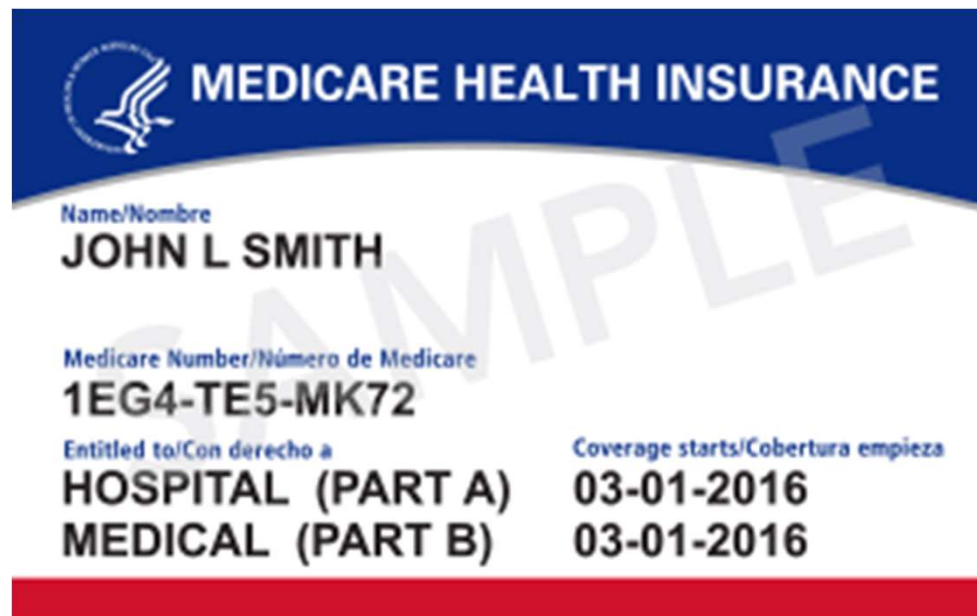
COVID-19 Scams

- Problem with stimulus check
- You've been exposed
- WHO imposter
- Charging for vaccines
- Fake at home test kits
- Pop up test sites
- Fraudulent tests added to claim
- Increase in cases – more test sites



Medicare Card Scams

- A laminated card
- A gold card
- An embedded chip
- Premium discount



All Medicare recipients have this card even if they also have a MA plan card

Do You Know ...

- SMP hosts free monthly webinars on multiple topics related to Medicare?
- www.cahealthadvocates.org
- SMP hosts a free quarterly partner zoom call to discuss current fraud trends and scams?
- smorales@cahealthadvocates.org

Financial / Other Fraud Scams

VICTIMS OF FINANCIAL FRAUD BY AGE GROUP

Age Range	Total Count	Total Loss
Under 20	9,129	\$12,553,082
20-29	40,924	\$134,485,965
30-39	46,342	\$305,699,977
40-49	50,545	\$405,612,455
50-59	48,642	\$494,926,300
Over 60	62,085	\$649,227,724

Truth: Older adults are most at risk for ALL types of fraud and exploitation

IC3 2019 CyberCrime Report (United States)

Count by Victim per state

California	49,031
Texas	25,589
Florida	23,984
New York	18,124
Virginia	14,800
Washington	10,775

Total losses by Victim per state

California	\$450,482,128
New York	\$201,090,065
Texas	\$195,611,047
Florida	\$178,141,470
No Carolina	\$137,230,988
Ohio	\$97,730,046

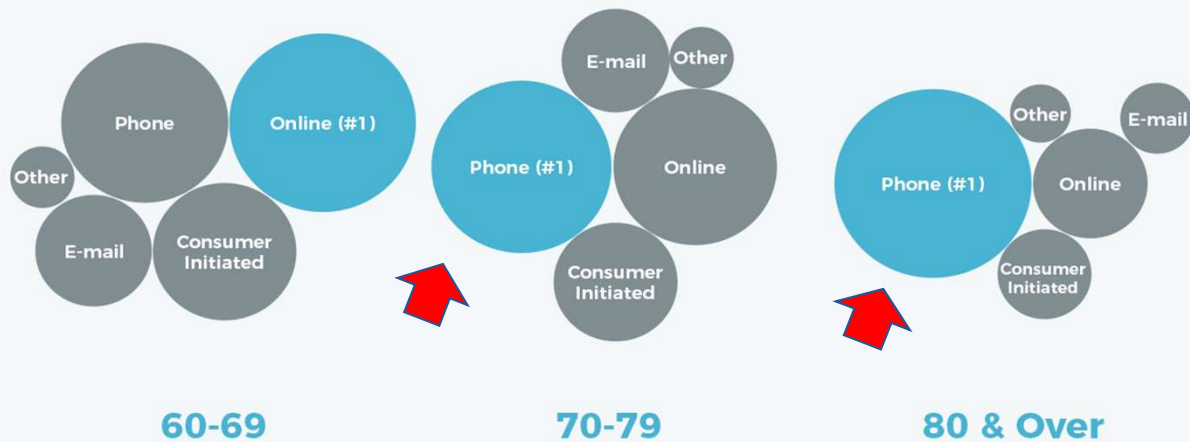
Nationwide Fraud Against Elderly (FBI)

- Contact by phone or social media
- Offers of something free, lottery winnings, crypto currency
- Told to buy gift cards or mail cash
- Used scare tactics: Computer virus!
- Victim pays a fee for technical assistance
- Obtains bank and credit card information





The **phone** is the most common contact method for scammers.



Top Scam Contact Methods By Age Group

(Federal Trade Commission, 2020)

"I do not give out personal information in an unsolicited call."

Government Imposter Scam

- “This is Agent McMurphy from the IRS, and I am calling to inform you that you have a federal arrest warrant for not paying your taxes. Please press 1 on your keypad to be connected to my desk so we can clear up this matter.”
- Advice: Hang up ... on any call that you believe is coming in as a computerized robocall. IRS, Social Security, Medicare employees will never demand money or threaten you on the phone

(AARP.org)

Grandparent Scam

- “Grandma, it’s me, Henry. I was away for spring break and got arrested because my friend was driving was drunk and we hit a pregnant woman! Please don’t tell Mom and Dad. I need your help.”
- Advice: Hang up ... Check with your family or grandchild. Think with your head, not your heart. Don’t panic and send money, go buy gift cards or reveal any banking or financial information to the caller

Amazon Account Scam

- “Hello, sir, this is Amazon Security calling to inform you that there is an attempt to order items on your account. But don’t worry — we can help with the refund. I just need a few pieces of information from you to get this started.”
- Advice: Hang up ... If you think there could be a problem, go directly to your Amazon account and contact the company directly through its website

Technology Security

- Update your computer's virus protection regularly
- Look before you click open that email file or text
- Don't share personal and other information on-line to unknown parties
- Use strong and different passwords for your accounts
- Don't advertise personal things on social media
- Use social media controls (set to Private)

Help Victims

- Don't lecture or belittle fraud crime victims
- Falling prey to a fraud crime is embarrassing – to say the least.
- This embarrassment is increased because there is a tendency to blame the victim and not the criminal who is the real cause of the crime
- Instead, give the victim social support and gently help them to discover for her- or his-self the nature of the crime

What Can AASC Members Do?

- Attend, refer free SMP webinars (cahealthadvocates.org)
 - May 26 – “Weapons of Fraud”
 - June 23 – “The Current State of Nursing Homes”
 - August 25 – “Medicare & Medicaid State of Affairs”
 - September 22 – “Understanding Medicare Hospice”
 - October 27 & 28 – “Medicare 2023 – What’s in the Future”
- Become a SMP partner/grantee
- Report healthcare fraud cases to SMP



Education = Awareness = Fraud Detection = Fraud Reporting

Schedule SMP Fraud Presentations at your sites

Report fraudulent billing or scams to SMP

Be eligible for prizes

Your Medicare Rights

- The right to get care that meets professionally recognized standards.
If you believe that the care you're getting is below this standard, and you're dissatisfied with the way your provider has responded to your concern, you have the right to contact a BFCC-QIO.
- The right to ask for a review of your case. E.g., Hospital discharge, hospice discontinued.
- Livanta 877-588-1123

Senior Medicare Patrol 855-613-7080

- Fraud Prevention Seminars
- Virtual and in-person
- Fraud Alerts in 9 Languages
- Billing Research
- Referrals to Law Enforcement



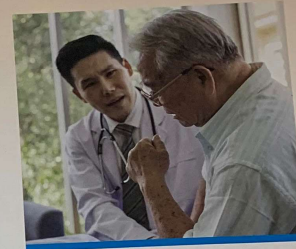
SMP

Senior Medicare Patrol

Preventing Medicare Fraud

Stay Informed

- www.cahealthadvocates.org/fraud-abuse
- <https://www.aarp.org/money/scams-fraud>
- BBB Scam Tracker <https://www.bbb.org/scamtracker>
- Get on the “Do Not Call” list:
<https://www.consumer.ftc.gov/articles/0108-national-do-not-call-registry>



Cómo puede prevenir el fraude

- ✓ Proteja su tarjeta como lo haría con una tarjeta de crédito.
- ✓ Use su Diario Personal de Atención Médica para registrar los detalles de su atención médica.
- ✓ Verifique su declaración de Medicare con sus registros y diario para asegurarse de que la declaración sea precisa. ¿Reconoce el nombre del proveedor? ¿Recibió los servicios ese día? ¿Esta reclamación refleja los servicios que recibió? (Importante: Asegúrese de que el nombre y el número de Medicare en el Estado de cuenta sean correctos).
- ✓ Configure una cuenta en línea para tener acceso las 24 horas del día, los 7 días de la semana, a los Avisos de resumen de Medicare en www.Medicare.gov

Esté alerta a las tácticas de fraude

- ✓ NUNCA le dé su número de Medicare (o tarjeta de Medicare) a nadie que no sea su médico o proveedor de Medicare.
- ✓ Si alguien le ofrece servicios médicos, exámenes, pruebas o equipos **gratuitos** a cambio de su número de Medicare, no acepte la oferta.
- ✓ Las personas que afirman que "saben cómo facturar a Medicare" para que se les pague un artículo o servicio no cubierto, están cometiendo fraude. Repórteles de inmediato. Llame a SMP para obtener ayuda.

CÓMO PREVENIR Y DENUNCIAR EL FRAUDE O EL ABUSO

Documente toda la atención médica que recibe.

Guarde toda su documentación de Medicare y Atención Médica.

Verifique la exactitud de cada declaración. Asegúrese de que el nombre y el número de Medicare sean correctos.

Compare su documentación con la atención que recibió.

Organice todo su papeleo.

Llame al Número de California Senior Medicare Patrol (SMP)
cuando tenga preguntas o sospeche fraude y/o abuso:

1-855-613-7080

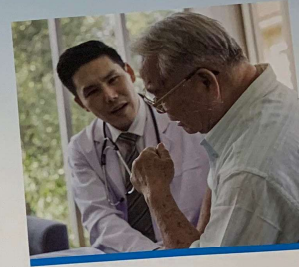
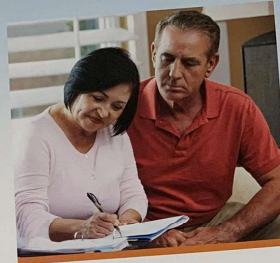
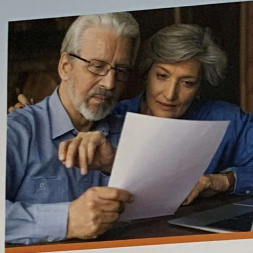
www.cahealthadvocates.org/fraud

O para obtener más ayuda con Medicare,
llame a HICAP al **1-800-434-0222**



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Medicare: Policy, Advocacy and Education

Este proyecto fue apoyado, en parte, por la subvención 90MPPG0019-05-00, de la Administración de los Estados Unidos para Vida comunitaria, Departamento de Salud y Servicios Humanos, Washington, D.C. 20201.



How you can Prevent Fraud

- ✓ Guard your card as you would a credit card.
- ✓ Use your Personal Healthcare Journal to record the details of your healthcare.
- ✓ Check your Medicare statement for accuracy. Do you recognize the name of the provider? Did you receive services on that day? Does this claim reflect the services you received? (Important: Make sure the name, address and Medicare number on the Statement are correct).
- ✓ Set up an account online for 24/7 access to Medicare Summary Notices at www.Medicare.gov.

Be Alert to Fraud Tactics

- ✓ **NEVER** give your Medicare number (or Medicare card) to anyone other than your doctor or Medicare provider.
- ✓ If someone offers you **free** medical services, screening, testing or equipment in exchange for your Medicare number, don't accept the offer.
- ✓ People who claim they "know how to bill Medicare" to get an uncovered item or service paid, are practicing fraud. Report them immediately. Call SMP for help.

HOW TO PREVENT AND REPORT FRAUD OR ABUSE

Document all the healthcare you receive.

Save all of your Medicare and Health Care paperwork.

Check each statement for accuracy. Make sure the name and Medicare number are correct.

Compare your paperwork with the care you received.

Organize all your paperwork.

CONTACT the California Senior Medicare Patrol
when you have questions or suspect fraud and/or abuse:

1-855-613-7080

www.cahealthadvocates.org/fraud

Or for further assistance with Medicare,
call HICAP at **1-800-434-0222**



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Guard your card

Follow these tips to prevent Medicare ID fraud:

- Keep your Medicare and Social Security cards secure.
- Don't share your numbers with anyone but your health care team.
- If someone calls and asks for your Medicare information, hang up. Medicare will only call you if you've called and left a message or if a representative said that someone will call you back.
- Check your statements carefully and log into [medicare.gov](https://www.medicare.gov) to spot possible fraud and billing mistakes.
- Report suspicious activities by calling 800-MEDICARE (800-633-4227) or by calling the Senior Medicare Patrol at 877-808-2468.



Thank You

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