



# School Supportive Health Services Program (SSHSP)

Board of Education

Medicaid-in-Education Annual Training




# Agenda:

- ▶ What is Medicaid and why do we need a Compliance Program?
- ▶ Also, as outlined in BSCSD's Compliance Program :
  - ▶ The code of conduct
  - ▶ The laws or guidelines which govern Medicaid Compliance
  - ▶ BSCSD's administrative roles and responsibilities
  - ▶ Reporting fraud, waste, or abuse
  - ▶ The penalties for not reporting fraud, waste, or abuse
  - ▶ Penalties for non-compliance



# What is Medicaid?

- ▶ The single largest source of health coverage in the United States
  - ▶ Together with CHIP (Children's Health Insurance Program), provides health coverage to over 72.5 million low-income individuals
  - ▶ A jointly funded federal/state program
- 



# Why do we need a compliance program?

- ▶ In 2009 (following a federal investigation that revealed Medicaid disallowances of \$1.1 billion dollars), NYS entered into an agreement with the Federal Centers for Medicare & Medicaid Services (CMS)
- ▶ This agreement required NYS to:
  - ▶ Repay CMS nearly \$540 million dollars
  - ▶ Conduct periodic audits of school districts
  - ▶ Collect repayments from school districts for inappropriate claims submitted to Medicaid
- ▶ Together, the NYS Department of Health and the NYS Department of Education formed SSHSP (School Supportive Health Service Program), which:
  - ▶ Is available to students with disabilities (ages 3 up to 21)
  - ▶ Allows districts access to federal monies for medically-necessary services provided to these students

# Medicaid Compliance Laws/Policies:

1. **Social Security Act (SSA):** Services must be medically-necessary and in a covered category
2. **HIPAA of 1996:** Protects the privacy of student health-related records
3. **FERPA:** Protects the privacy of student education-related records
4. **Social Services Law 363-d & 18 NYCRR Part 521:** BOE is to appoint a Compliance Officer
5. **18 NYCRR Part 515.2(b)(1)(c):** Cannot bill for services without a written order/referral
6. **Section 517.3 of 18 NYCRR:** Must retain records for 6 years of services provided/billed
7. **NYS Plan Amendment #09-61:** Verify provider certification, license and/or registration
8. **Code of Conduct:** Includes Section II, K, "Whistle Blowing," stating there will be NO retaliation against any employee or officer who reports waste, fraud or abuse
9. **Medicaid Provider Policy and Billing Handbook, Update 9 (DOH/NYED)**

# Administrative Roles & Responsibilities

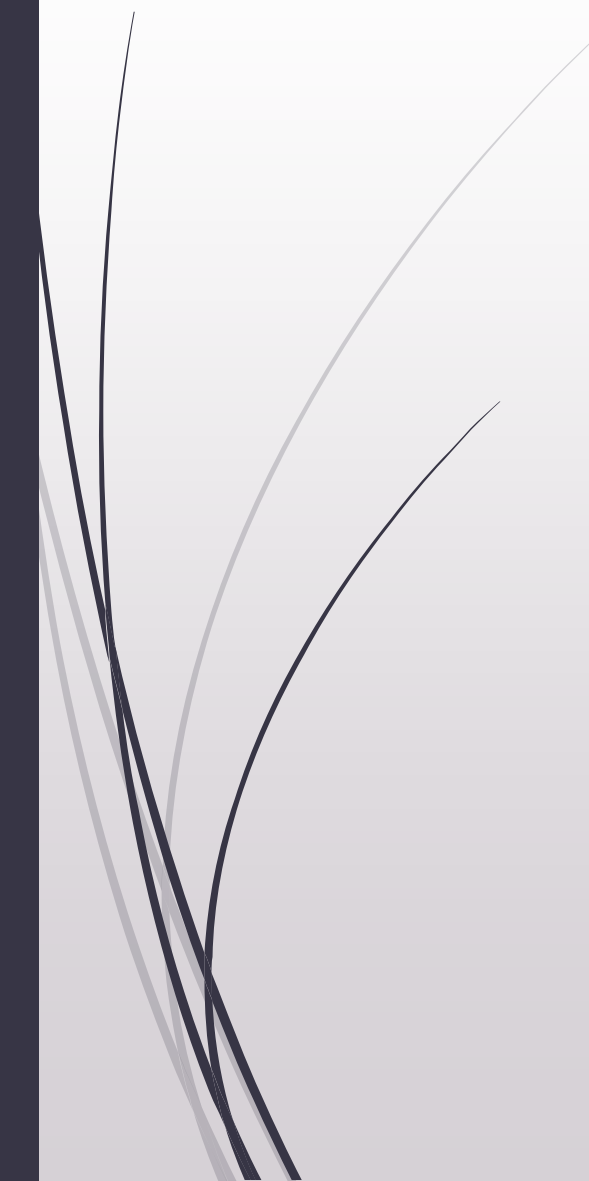
- ▶ **To be reimbursed by Medicaid for SSHSP services, the following conditions must be met at the administrative level:**
  - ▶ Be an enrolled Medicaid provider & have an NPI (National Provider Identifier) number
  - ▶ Verify service providers have an NPI number
  - ▶ Verify "Parental Consent" was obtained
  - ▶ Incur a cost for the service
  - ▶ Complete Provider Agreements and Statement of Reassignment for outside contractors (other than BOCES)
  - ▶ Verify students are Medicaid eligible and have a Client Identification Number
  - ▶ Keep affiliation current for attending providers
  - ▶ Annually certify the Electronic Transmitter Identification Numbers
  - ▶ Provide annual training to service providers and the BOE, clearly outlining roles and responsibilities
  - ▶ Verify all claims submitted are: Medically necessary, documented, provided by an approved Medicaid provider & included in the child's IEP

# Reporting of Fraud, Waste or Abuse & Penalties For Not Reporting:

- ▶ All employees are expected to comply with the Code of Ethics/Conduct and the Compliance Policies and Procedures of the District. Failure to do so could result in disciplinary action and possible termination following a thorough investigation
- ▶ All are expected to:
  - ▶ Promptly report noncompliance - even if it is behavior of the reporting individual
  - ▶ Participate in good faith in investigations
  - ▶ Be truthful and preserve documentation for investigations
- ▶ Disciplinary procedures will begin for failing to report:
  - ▶ Potential compliance issues
  - ▶ Participation in non-compliant behavior
  - ▶ Encouraging, directing, or permitting non-compliant behavior
- ▶ The following offenses will result in disciplinary charges:
  - ▶ Violation of Federal and State Laws
  - ▶ Failure to report illegal or suspected illegal conduct
  - ▶ Intentionally providing false information to the district, agencies or to Medicaid for payment
  - ▶ Knowingly providing false or misleading information to the Compliance Officer



# Summary of What Should Be Reported:

- 
- ▶ Billing for medical services not provided
  - ▶ Providing unnecessary services
  - ▶ Billing services separately that should be one billing
  - ▶ Billing more than once for the same service
  - ▶ Giving or accepting something of value in return for medical services
  - ▶ When someone: Lies about eligibility, lies about a medical condition, or forges a referral/order





# What Information Is Requested When Reporting Fraud, Waste or Abuse:

- ▶ Name, position and work location of the alleged perpetrator
- ▶ Complete description of the alleged act
- ▶ Description of how the alleged act was discovered
- ▶ The date and time the alleged act occurred
- ▶ The name(s) of administrative personnel you previously reported the alleged act to (if none, please state so)
- ▶ Your name, address, telephone and email address (**Note: This is Optional**)

# How to Report Suspected Fraud, Waste or Abuse:

- ▶ You are not required to identify yourself
- ▶ If you choose to remain anonymous, in good faith:
  - ▶ Complete a “Complaint Form” found on the BSCSD Website (Departments/Medicaid Compliance/Medicaid Fraud, Waste or Abuse link)
  - ▶ Mail this form (without adding a return address on the envelope) to:
    - ▶ Margaret Giller, Medicaid Compliance Officer: 70 Malta Avenue, Ballston Spa NY 12020
- ▶ If you choose to identify yourself:
  - ▶ Know that it is our strict policy to protect your identity
  - ▶ Choose one of the following methods to report:
    - ▶ Margaret Giller, Medicaid Compliance Officer:  
E-mail: [mgiller@bscsd.org](mailto:mgiller@bscsd.org)  
Telephone: (518) 884-7195, Ext. 1346  
Fax: (518) 490-7410  
Mail: 70 Malta Avenue; Ballston Spa, NY 12020
    - ▶ NYS DOH Medicaid Fraud Hotline: 1- 877-873-7283
    - ▶ NYS DOH Online Complaint Form: <https://apps.omig.ny.gov/bmfa/bmfa.aspx>



# Resources:

- ▶ Provided on the BSCSD “ScottieNet”
  - ▶ Medicaid Handbook Update #9
  - ▶ Guidelines for each Related Service and Special Transportation
  - ▶ BSCSD Compliance Program
  - ▶ Quick link to the Medicaid-in-Education Website for Medicaid Alerts
  - ▶ Examples of Medicaid fraud, waste or abuse



# Resources: State Contacts

- ▶ NYS DOH – SSHSP Medicaid Policy and Medicaid Claiming Questions
  - ▶ DOH 518-473-2160
  - ▶ DOH SSHSP Mailbox: [SSHSP@health.ny.gov](mailto:SSHSP@health.ny.gov)
- ▶ SED – Provider Support and Training
  - ▶ SED 518-474-7116
  - ▶ SED Mailbox: [medined@nysed.gov](mailto:medined@nysed.gov)
- ▶ NYS Medicaid Compliance Officer

Corning Tower – Room 2863, Albany, New York 12237  
Telephone: 518-474-9868



# Resources: BSCSD Contacts

- ▶ Margaret Giller, Medicaid Compliance Officer

70 Malta Avenue, Ballston Spa, NY 12020

Telephone: 518-884-7195, Ext. 1346

E-mail: [mgiller@bscsd.org](mailto:mgiller@bscsd.org)

- ▶ Kristi Jensen, Director of Special Education

70 Malta Avenue, Ballston Spa, NY 12020

Telephone: 518-884-7195, Ext. 1314

E-mail: [kjensen@bscsd.org](mailto:kjensen@bscsd.org)