



**2021 SMP/SHIP National Conference**  
**Virtual Meeting • Part Two—August 10-12, 2021**

# **SMP and OIG Fraud Trends**

Marissa Whitehouse (OHIC) - Moderator

Jennifer Trussell (SMPNRC)

Michael Cohen (OIG)

# Agenda

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## **Introduction and Overview**

Marissa Whitehouse

## **SMP Fraud Trends**

Jennifer Trussell

## **OIG Fraud Trends**

Michael Cohen

## **Q&A**

All Speakers



# SMP Introduction & Overview



## Mission

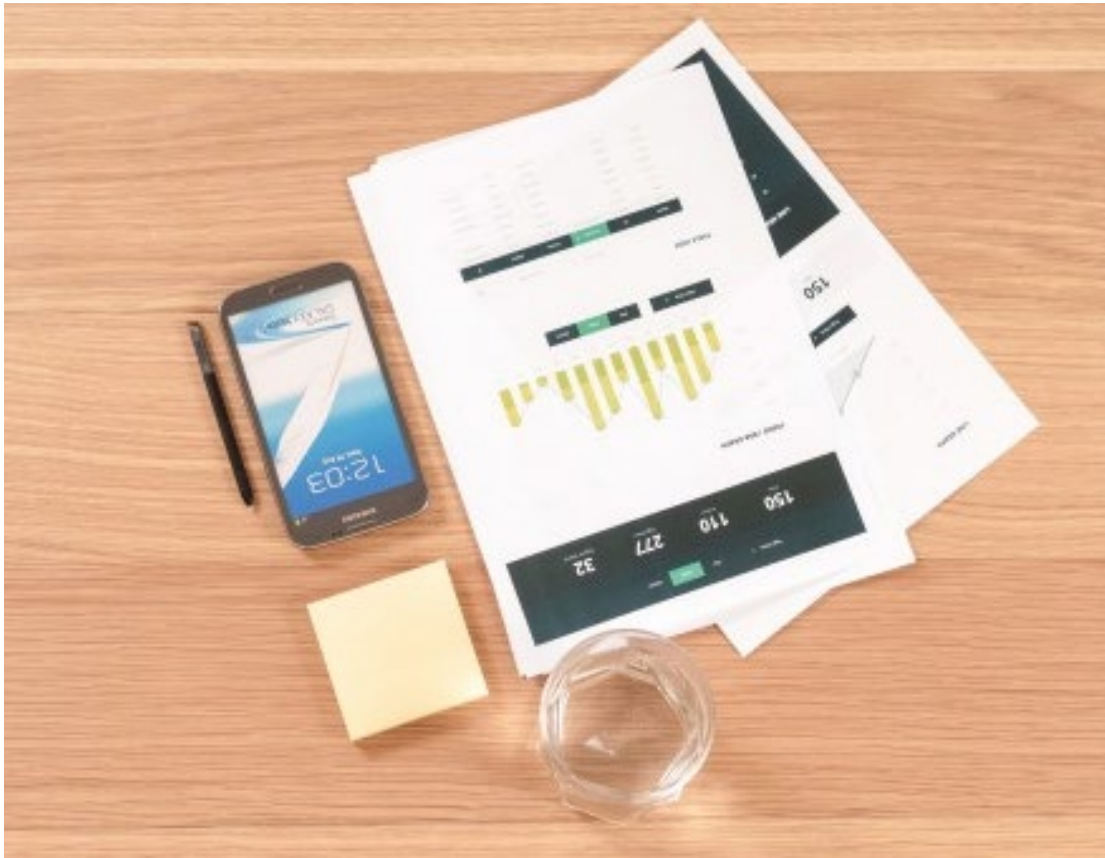
To empower and assist  
Medicare beneficiaries, their  
families, and caregivers

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

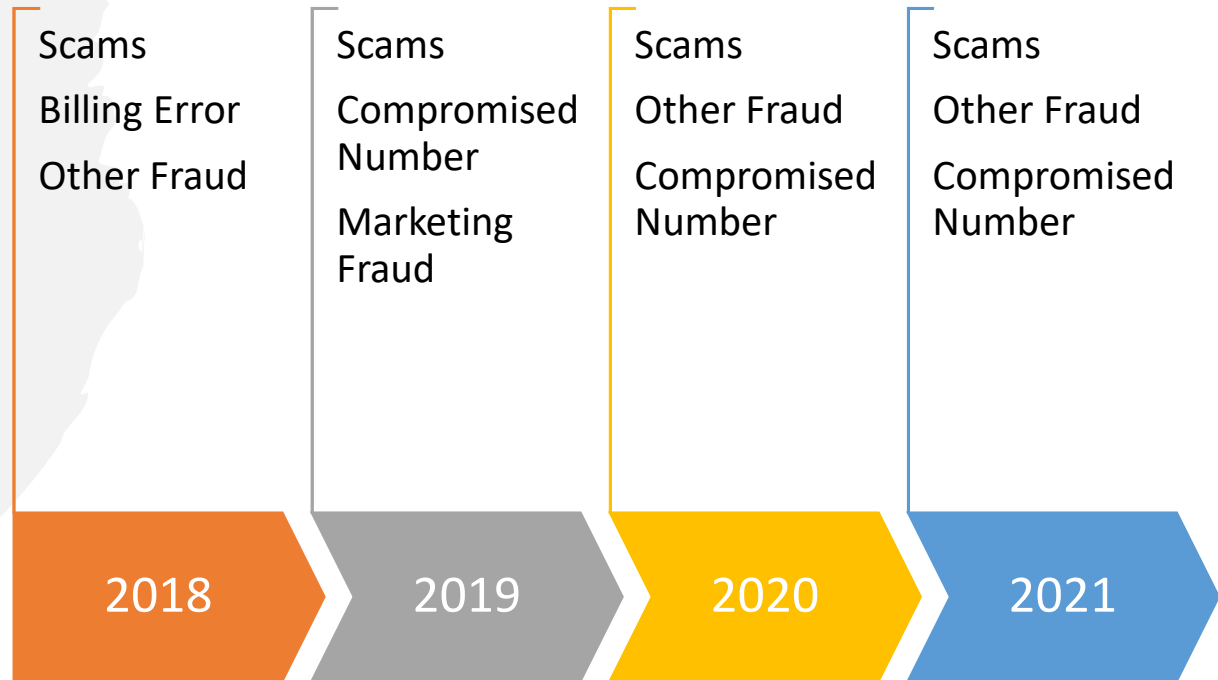
- Overview of Identifying Trends from SIRS Data
- Trends By Year
- The Big Five
  - Durable Medical Equipment (DME)
  - Hospice
  - Compromised Medicare Number
  - Quality of Care
  - Marketing Fraud
- COVID Fraud
- Telehealth
- What's Next?

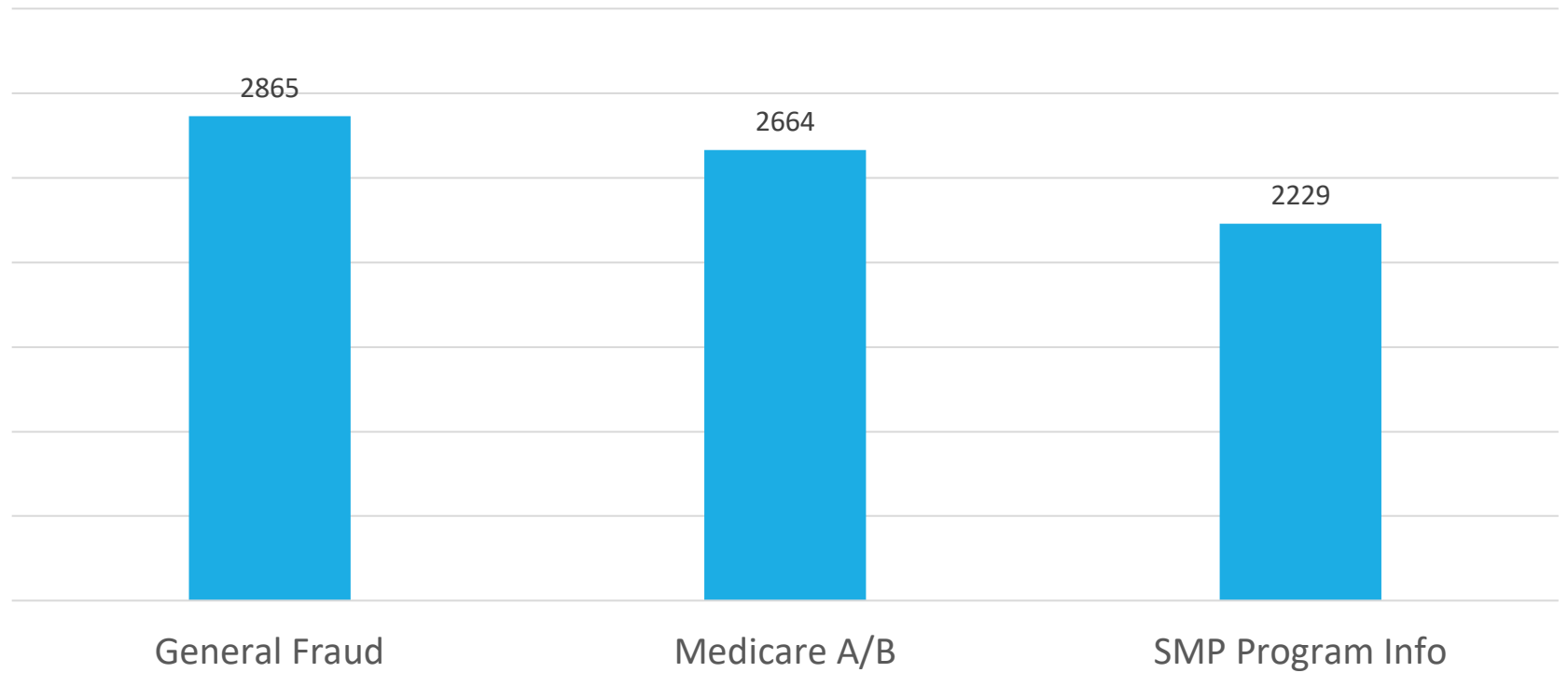
# What Can We Tell From the SIRS Data?

- 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





## Topics by Year (2018 – 2021 to date)





# The Big Five to Watch

(and surprise states)

DME (WY, IA)

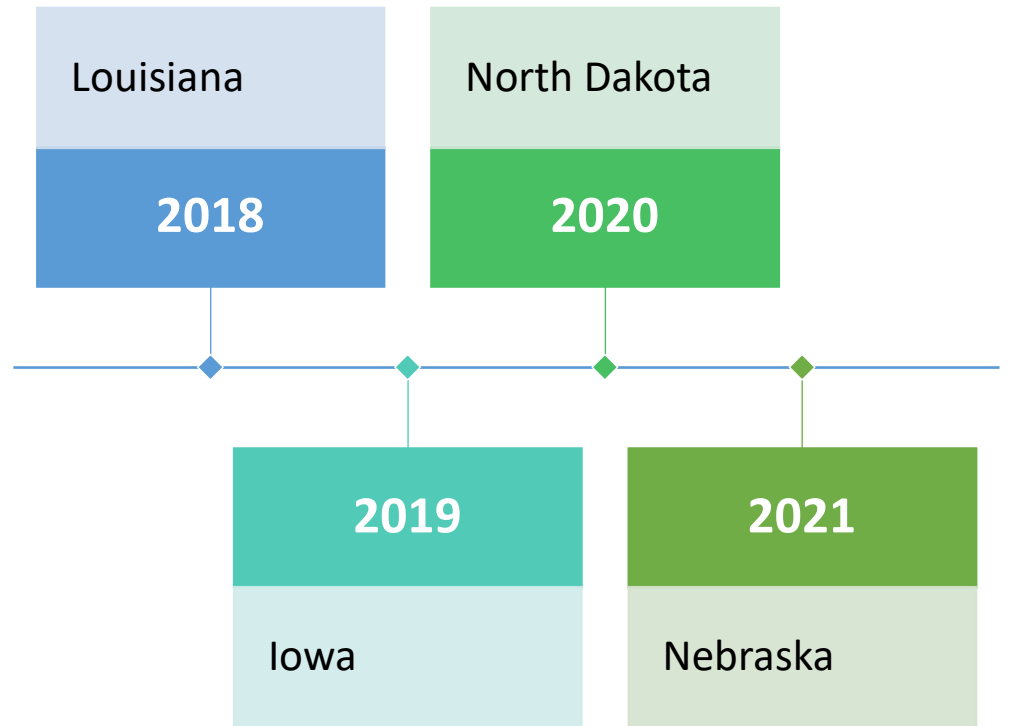
Hospice (MA, GA)

Compromised Medicare Number  
(ND, LA)

Quality of Care Issues (PA, VA)

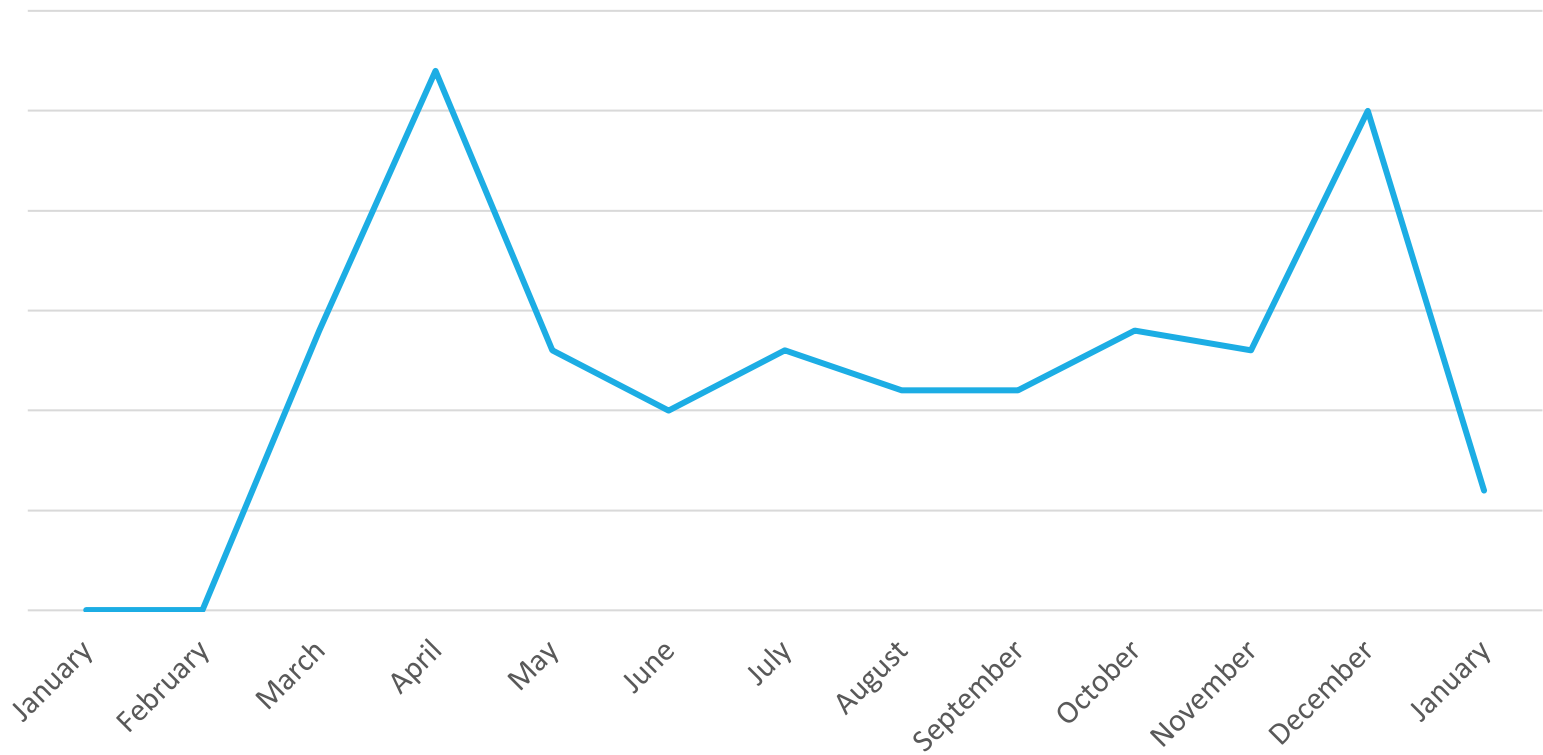
Marketing Fraud (KY, TN)

# Compromised Number (and surprise states)



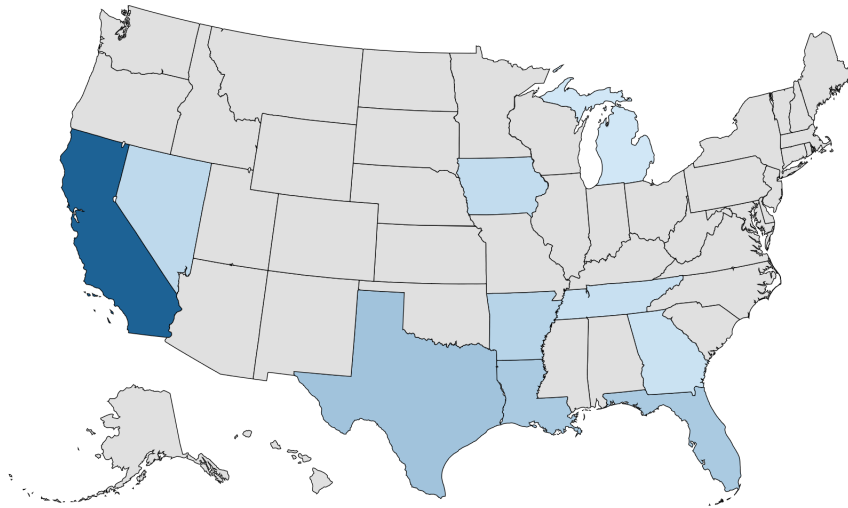
# SMP COVID-19 Complaints 2020

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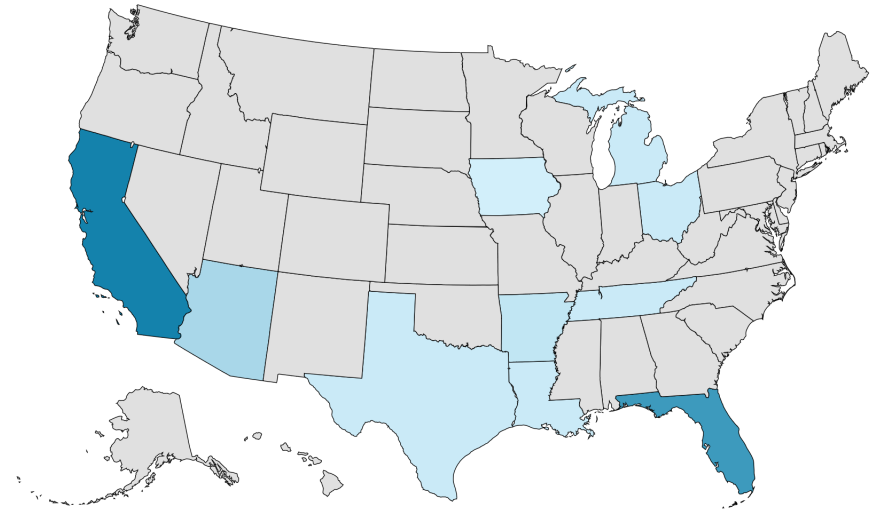
# SMP Comparison of Top Ten States for Genetic Testing and COVID-19 Complaints

## GENETIC TESTING 2019



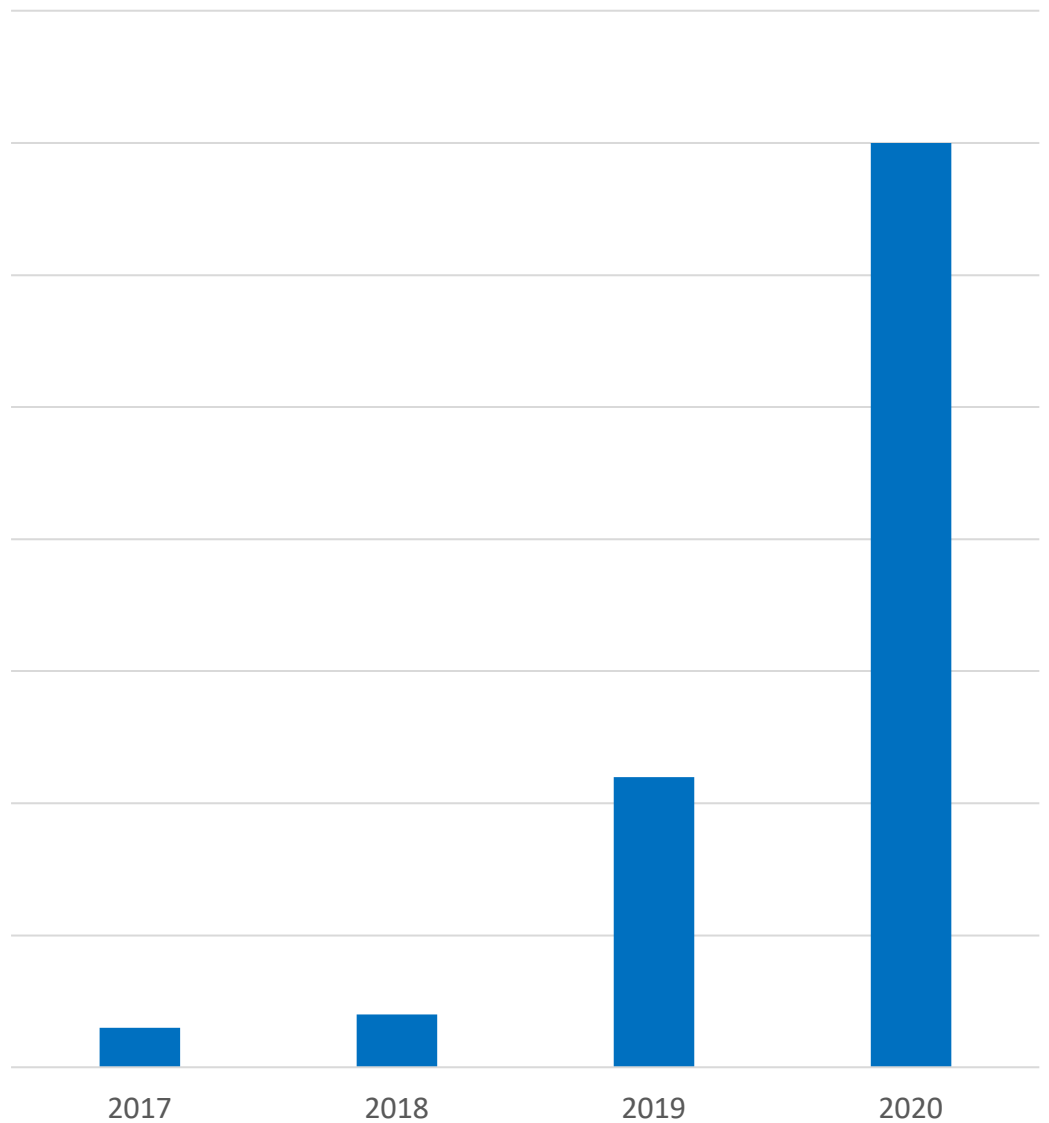
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## COVID 2020

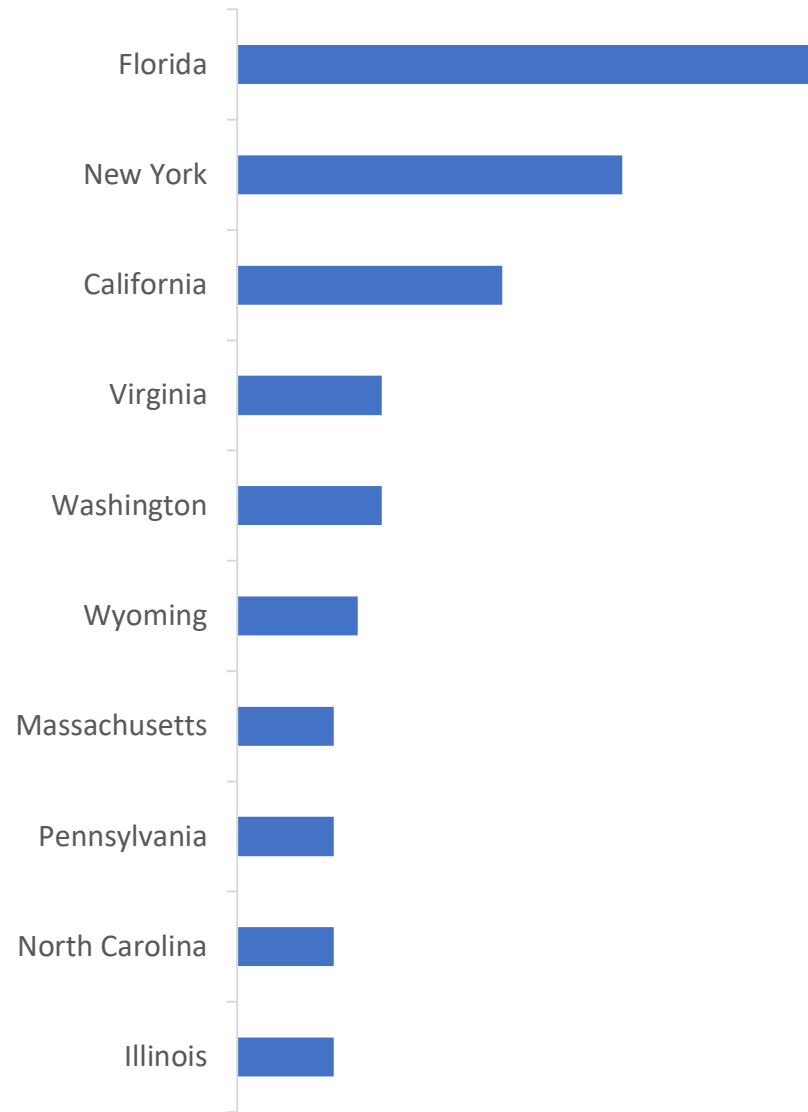


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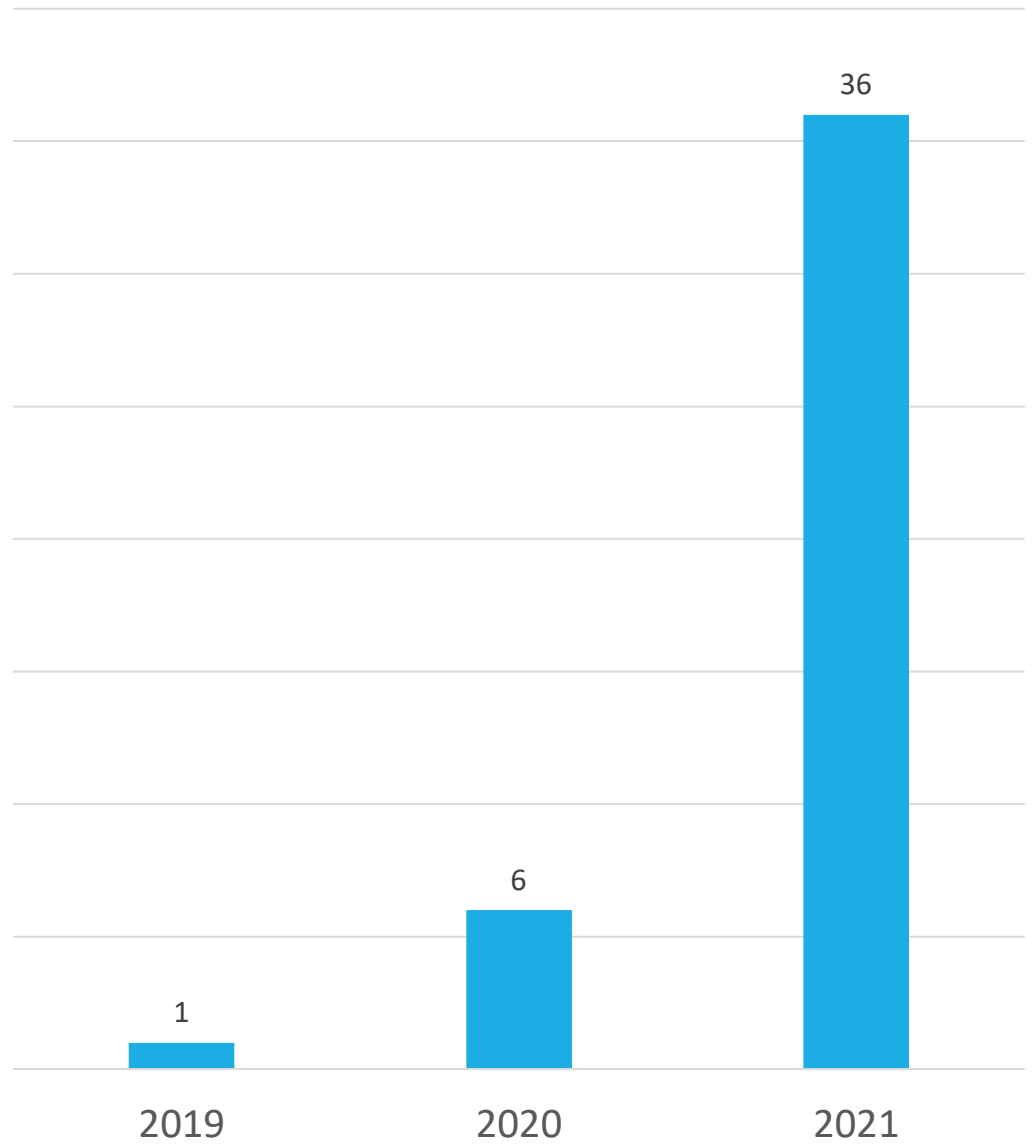
Number of  
SMP  
Telehealth  
Complaints  
2018 -  
2020



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

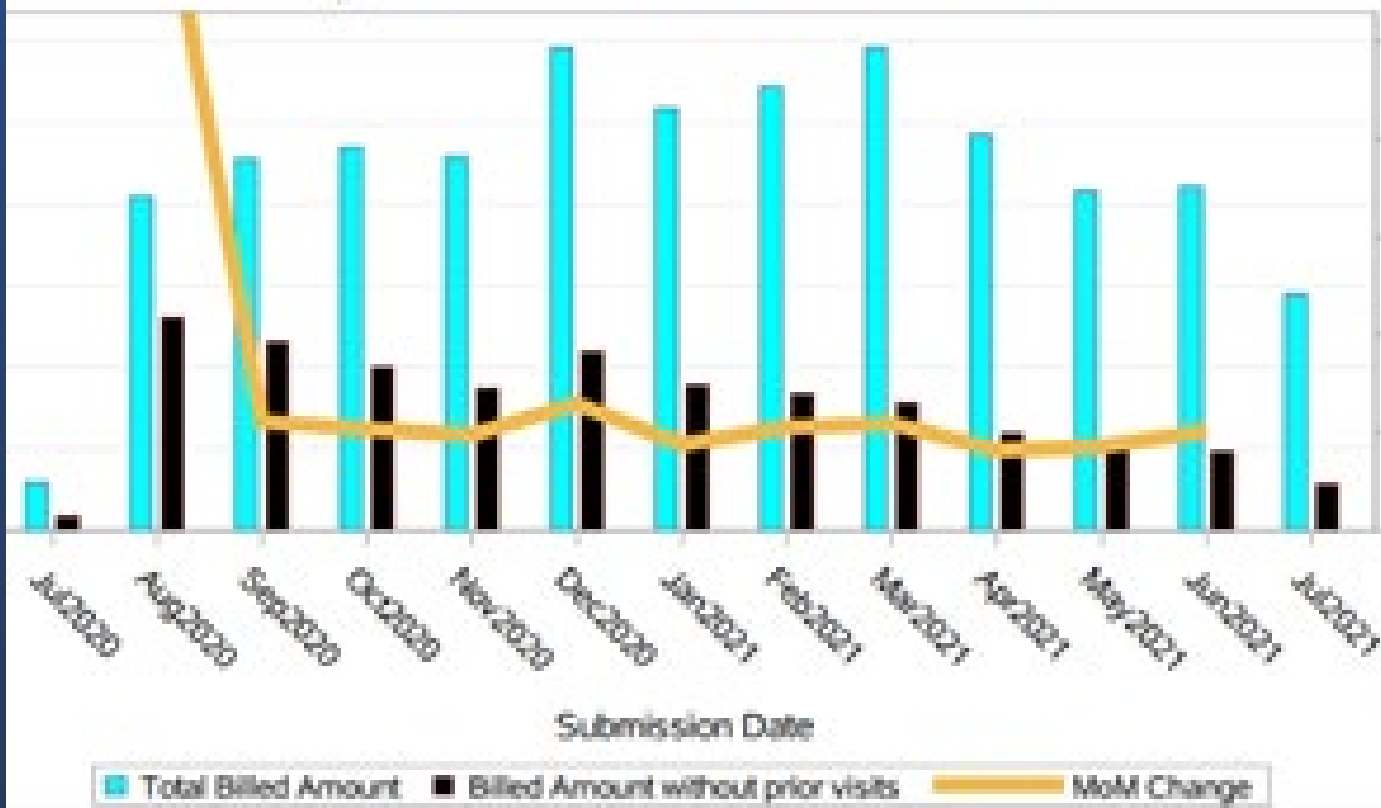
# Telemedicine Schemes

- 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

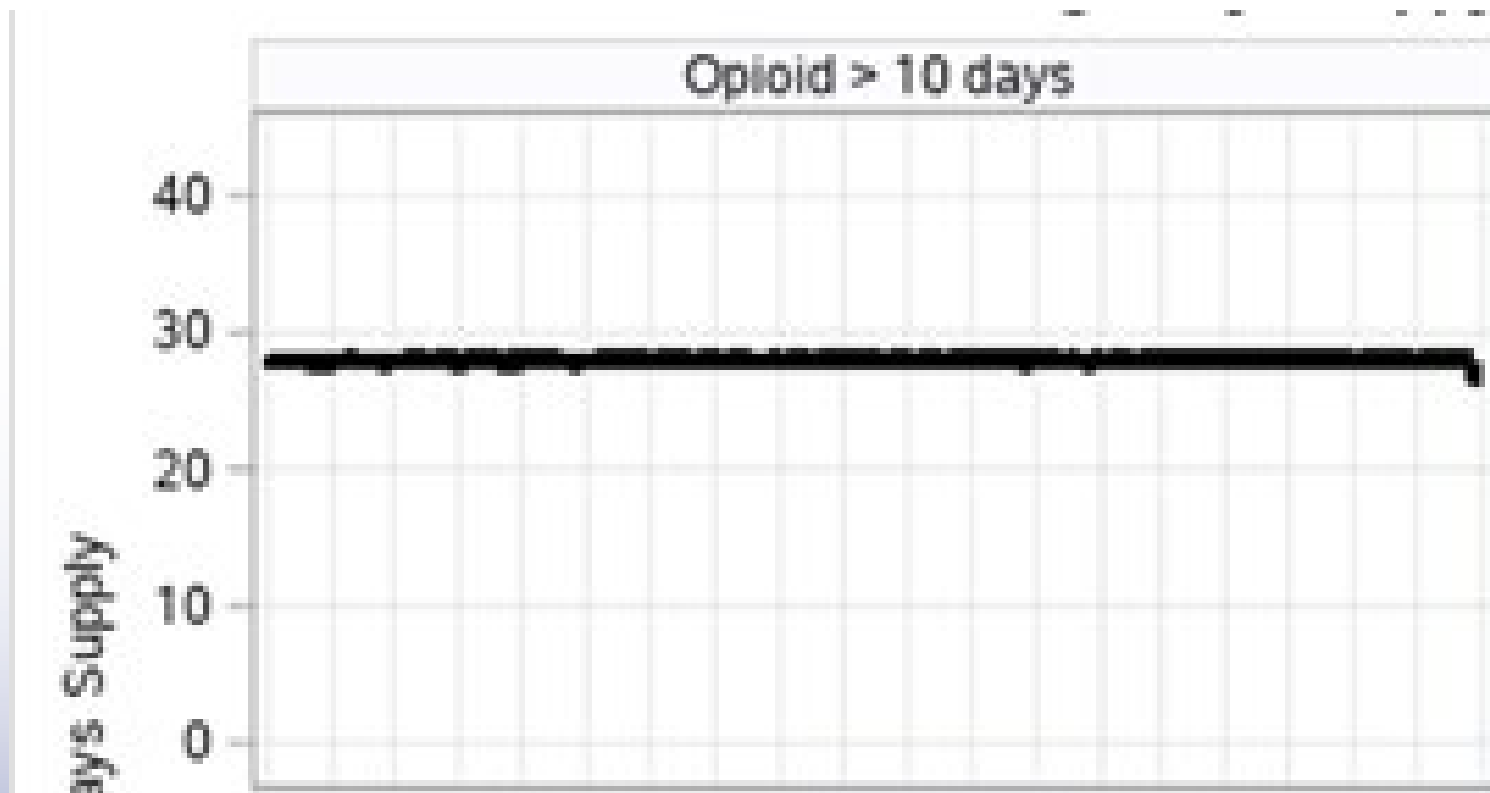
# Labs Continued

- 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

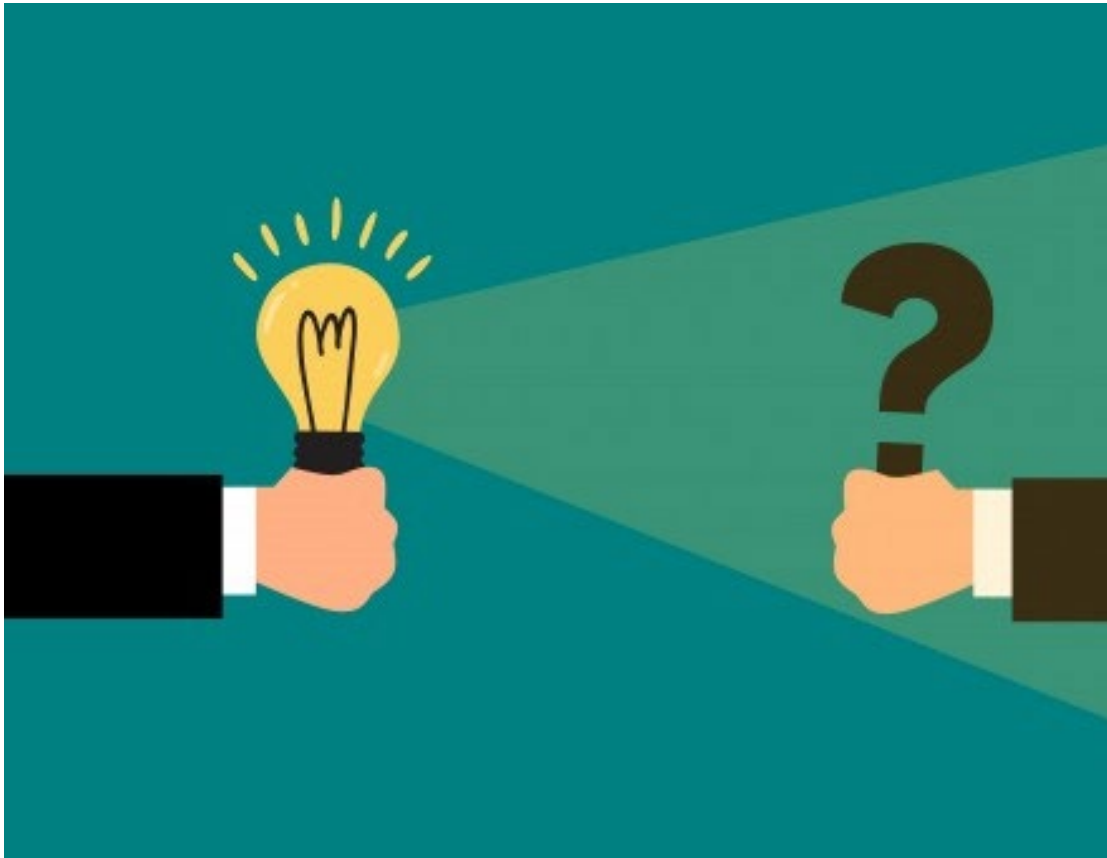
- Ignoring insurance and billing to portal
- Calling everything “Rule Out Covid” to bill the program



# 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)**