



FWA

November 16, 2023

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Fraud

“...knowingly, and willfully executes or attempts to execute a scheme...to defraud any healthcare benefit program or to obtain by means of false or fraudulent pretenses, representations, or promises any of the money or property owned by...any healthcare benefit program.” (US Code, Title 18, §1347 Health Care Fraud)

Centers for Medicare & Medicaid Services (CMS), HHS
Code of Federal Regulations, Title 42, § 455.2 Definitions

“Fraud means an intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or some other person. It includes any act that constitutes fraud under applicable Federal or State law.”

ABUSE

**“Payment for items or services when there is no legal entitlement to that payment and the individual or entity has not knowingly and/or intentionally misrepresented facts to obtain payment.”
(CMS)**

Centers for Medicare & Medicaid Services (CMS) HHS
Code of Federal Regulations, Title 42, § 455.2 Definitions

“Abuse means provider practices that are inconsistent with sound fiscal, business, or medical practices, and result in an unnecessary cost to the Medicaid program, or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards for health care. It also includes recipient practices that result in unnecessary cost to the Medicaid program.”

WASTE

Commonwealth of Pennsylvania, Department of Human Services

HealthChoices Program Standards and Requirements, Definitions

“The overutilization of services, or other practices that, directly or indirectly, result in unnecessary costs. Generally not considered caused by criminally negligent actions but rather the misuse of resources.”



Intent and Knowledge



FWA Examples

Receiving payment for:

1. Medically unnecessary services
2. Misuse of billing codes
3. Duplicate service claims
4. Unbundling services
5. Not following regulatory requirements
6. Excessive testing



Report
FWA
to...



**...The CBH Compliance
Department**

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Questions?

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