



Fraud, Waste, and Abuse: Anti-Kickback Training

Provider Partnership Management

Agenda



- Core of the Anti-Kickback Statute
- Remuneration
- Fines and Penalties
- Report Violations
- Test Your Knowledge
- Conclusion



Core of the Anti-Kickback Statute



- Prohibits anyone from purposefully ***offering, soliciting or receiving anything of value to generate referrals for items or services*** payable by any Federal healthcare program.
- Forty-two states (including Florida) and D.C. have enacted their own anti-kickback statutes.





Remuneration

- Anything of value
- “In-cash or In-kind”
- Paid directly or indirectly
- Examples: cash, free goods or services, discounts, below market rent, relief of financial obligations



Fines and Penalties



Criminal:

- Felony, imprisonment up to five years and a fine up to \$25,000 or both
- Mandatory exclusion from participating in Federal healthcare programs

Civil:

- A violation of the Anti-Kickback Statute constitutes a false or fraudulent claim under the Civil False Claims Act (penalties are the same as under the False Claims Act)



Report Violations



In addition to reporting to State and Federal Agencies, you may report violations, misconduct, or issues of non-compliance (without fear of retaliation) to:

Mary Garcia, Vice-President, Compliance (Sunshine Health Compliance & Privacy Officer) Phone: 1-866-796-0530 ext. 41745
Email: marygarcia@centene.com

Robert Miromonti, Vice-President, Ethics & Compliance (Corporate Compliance Officer) Phone: 1-800-225-2573 ext. 25403

Ethics & Compliance Helpline: 1-800-345-1642

Fraud, Waste, and Abuse Helpline: 1-866-685-8664



Report Violations (*continued*)



Agency For Health Care Administration (AHCA) reporting contact information:

AHCA Consumer Complaint Hotline: 1-888-419-3456

Florida Attorney General's Office : 1-866-966-7226

The Florida Medicaid Program Integrity Office: 1-850-412-4600

Office of Inspector General Online Complaint Form:

https://apps.ahca.myflorida.com/InspectorGeneral/fraud_complaintform.aspx

Department of Financial Services – Division of Insurance Fraud:

<http://www.myfloridacfo.com/division/fraud/>

Online Complaint Form: <https://apps8.fldfs.com/first/>



Test Your Knowledge



- Dr. Jane Doe is a new provider in the area. John Smith is the CEO of ABC Hospital. He is offering below market value for free office space rental to providers in an effort to encourage them to refer their patients to the hospital. Then, he bills Medicare for the services performed by these providers. This is an okay and acceptable practice.
 - A. True
 - B. False

Answer: B.) False

What the CEO is doing violates the Anti-Kickback Statute

Conclusion



“It is the policy of Centene Corporation to conduct its business affairs in accordance with the standards and rules of ethical business conduct and to abide by applicable laws, both in letter and spirit. In this, there is no room for compromise.”

- Michael F. Neidorff

Chairman and Chief Executive Officer