



# Fraud, Waste, and Abuse: Anti-Kickback Training

*Provider Partnership Management*

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# 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:

**Patricia Elder**, Sunshine Health Interim Compliance & Privacy Officer  
Phone: 1-866-796-0530 ext. 41745      Email: [pelder@centene.com](mailto:pelder@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(cont'd)



To report suspected fraud, waste or abuse in the Medicaid or Medicare programs, please use one of the following applicable avenues:

## Medicaid:

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

Complaint Form: <https://apps.ahca.myflorida.com/mpi-complaintform>

## And

Department of Financial Services – Division of Insurance Fraud

Complaint Form : <http://www.myfloridacfo.com/division/fraud> or

<https://apps8.fldfs.com/first/>

## Medicare:

Office of Inspector General (OIG): 1-800-447-8477 TTY: 1-800-377-4950

Fax: 1-800-223-8164

Online: <http://oig.hhs.gov/fraud/hotline/>

E-Mail: [HHSTips@oig.hhs.gov](mailto:HHSTips@oig.hhs.gov)

NBI MEDIC: 1-877-7SafeRX (1-877-772-3379)

## Medicare's Florida Fraud Hotline:

By Phone: 1-866-417-2078 or

By E-Mail: [floridamedicarefraud@hp.com](mailto:floridamedicarefraud@hp.com)



# 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 or 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