



SMP Briefs

The SMP (Senior Medicare Patrol) Program educates and empowers people with Medicare to identify and report health care fraud and resolve errors.

There is a SMP Program in every state, the District of Columbia, Guam, U.S. Virgin Islands, and Puerto Rico. Nebraska's SMP Program serves the entire state through a network of eight local coordinators and over 100 volunteers. Visit www.dhhs.ne.gov/smp or call 1-800-942-7830

Fall 2010

Volume 1, Issue 4



SCAM ALERT! Some latest scams you should be aware of are listed below. Scams often cross state lines and quickly proliferate throughout the nation.

Scams related to the oil spill, specifically employment offers and save the animals surfaced in some states.

A beneficiary in another state reported receiving a call to “apply for a grant” and that the caller already had her Social Security Number, Date of Birth and her mother’s maiden name. In such cases beneficiaries should be asked to check their credit report.

In several states including Nebraska, there have been reports of sellers of durable medical equipment going into nursing homes and skilled care facilities to sell. There is potential for high sale pressure tactics or managers receiving kickbacks; but at the same time managers of nursing homes may believe they are doing residents a favor.

Several states reported beneficiaries receiving calls from a representative of an insurance company asking for an appointment to explain Medicare changes due to health care reform.

A home health scam where a person shows up at the beneficiary’s door in scrubs stating that the beneficiary’s doctor has ordered home health care has been reported in several states.

A patient in a skilled nursing was approached by someone offering to provide psychological treatment. In spite of the patient turning down the treatment, Medicare was billed for more than one session.

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Editor and Project Director,
Madhavi Bhadbhade

In another instance, Medicare was charged for patient's cancelled office visits.

A senior in a small central Nebraska town was a victim of the Grandparent scam this summer. A female posing as the granddaughter stranded in Canada convinced the senior to wire almost \$11,000. By the time the senior reported this to SMP, it was too late as the money was sent through Moneygram.

South Central Nebraska AAA reported a door-to-door salesman making sales to elderly people and signing them up for a home security system with at \$50 per month three-year contract with \$600 down. Some seniors reported products that were not hooked up.

Fast Facts for Nebraska in 2011

(Source CMS Bulletin)

- 33 Medicare Prescription Drug Plans (PDPs) available
- 88% of people with Medicare have prescription drug coverage (including 64% with Part D)
- 26% of people with Part D get Extra Help (also called the low-income subsidy, or LIS)
- 98% of people with Part D can pay a lower premium in 2011 than they did in 2010
- 100% of people with Medicare have access to a MA plan for a \$0 premium
- 13 PDPs have \$0 deductibles
- \$14.80 is the lowest monthly premium for a PDP
- \$36.30 is the lowest monthly premium for a PDP with any generic coverage in the Coverage Gap
- 10 PDPs have a premium of \$0 for people who qualify for Extra Help

Plan costs and coverage change each year, so all people with Medicare should check to make sure their plan still meets their needs and budget. There may be a Medicare health or drug plan available with better coverage or a lower deductible in 2011.

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Anti-Fraud Provisions in New Health Reform Law

By Nancy Aldrich
Health Benefits ABCs

On March 23, President Obama signed the Affordable Care Act (H.R. 3590), the much-debated health care reform legislation that contains a number of anti-fraud provisions, including:

- Allowing provider screening, including licensure check and, for certain providers as deemed appropriate by HHS (U.S. Department of Health & Human Services), a criminal background check, fingerprinting, site visits, database checks, etc.
- Strengthening Medicare review prior to paying providers to prevent fraud, waste and abuse
- Extending the review period to 90 days for Durable Medical Equipment claims when there is a significant risk of fraud
- Enhancing penalties for providers and suppliers who commit fraud, waste and abuse

- Limiting maximum time for submission of Medicare claims to 12 months
- Limiting the time period for providers and suppliers to return overpayments
- Increasing authority to suspend payment for services or items pending fraud investigations
- Expanding the role of government contractors who monitor fraud and abuse in Medicare Advantage and Part D, including ensuring timely inspections and enforcing marketing restrictions
- Requiring providers and suppliers to have a compliance program
- Improving data sharing among federal and state programs
- Increasing funding for anti-fraud activities

Other Key Medicare reforms of interest to SMPs:

- Payments to Medicare Advantage (MA) plans will be lowered to equal those paid through traditional Medicare. As a result, some MA plans may cut optional benefits such as vision and dental, but they are prohibited from cutting mandated benefits.
- Part D (prescription drug program) reforms include:
 - 1) A \$250 rebate check for Part D enrollees who enter the coverage gap (donut hole) in 2010. This check will be sent automatically; Medicare will not call or visit anyone to provider this benefit. Eligible Medicare beneficiaries will receive a notice in the mail from CMS (the Centers for Medicare & Medicaid Services), but they do not need to take any action to receive the check.
 - 2) A 50 percent discount on brand-name drugs and biologicals for low-and moderate-income (below \$85,000 per individual and \$170,000 per couple) enrollees who are in the donut hole. (The donut hole is the \$3,600 gap in the drug benefit when consumers pay full price.)
 - 3) No copayments for dual-eligible beneficiaries receiving home-and community-based services.
- Prevention/wellness improvements will remove the co-pay and deductible for an annual wellness visit and personalized prevention assessment. Prevention services include referrals to education and preventive counseling or community-based intervention to address risk factors.

I MET THEM IN ST. LOUIS

By DeAnna Tuttle, SMP Coordinator, Midland Area Agency on Aging

But we didn't go to the fair. Instead, Executive Director Dianne Fowler and I were privileged to be program presenters at the n4a National Conference held at the Hyatt Regency St. Louis at The Arch on July 19, 2010.

While there, I was able to attend the general session and receive information about the annual appropriations process to determine funding for OAA programs and the key provisions in Health Care Reform (CLASS Program, ADRCs, Medicare Part D Improvements and Additional Outreach and Assistance Funds, Prevention and Wellness coverage, the Elder Justice Act, Empowered at Home, Community First Choice, Money Follows the Person). I also attended sessions pertinent to the programs we are involved with on a daily basis.

Did you know that the \$60+ billion lost each year to Medicare fraud would:

- Pay for half of the salaries of the unemployed in the US for 1 year
- Pay for 1/3 of all drugs prescribed in the US
- Fund cancer research for 6 years



This data was shared during the session “Scams, Fraud and Deception: Protecting Seniors’ Identity, Assets and Health Care”.

The good news is that the government is fighting back by putting on the HEAT (Health Care Fraud Prevention and Enforcement Action Team) and fighting Medicare Fraud has become a cabinet-level priority for both DOJ and HHS. Perhaps you read in the newspapers about the big bust in Florida - - the 94 con artists arrested had allegedly submitted \$251 million in false claims.

New volunteer outreach tools in Missouri are the games “Are You Smarter Than A Scam Artist?” and a form of consumer “Jeopardy”. Sounds like fun and a good way to let beneficiaries know how to Detect, Protect and Report!

“Don’t Let Yourself Become a Silent Victim” is the advice offered by Emmy award-winning actress Doris Roberts in the MOSAFE (Missourians Stopping Adult Financial Exploitation) project, where she educates seniors, financial institutions, the general public and other professionals about the fast growing crime of financial exploitation. Nationally, the percentage of seniors tripled during the past century, and this has led to seniors becoming prime targets for financial exploitation. In addition, victims of financial abuse often suffer from other types of abuse or neglect as well.

During the session “Creating a Healthy State of Mind: What AAAs can do to impact mental health services for older adults”, a panel of experts from Illinois, Iowa and Kansas told of their coalition-building activities to increase access to mental health services for older adults, train service providers, implement peer support program for Medicaid recipients, and change the culture of the local service delivery system.

I met many advocates for the elderly in St. Louis and gained a lot of valuable information from their experiences. Thanks to n4a for continuing to provide Advocacy, Action & Answers on Aging.

Meet our Partners

The SMP Steering Committee meets on a quarterly basis. This provides an opportunity to share information between partners, discuss latest scams and disseminate information. It also serves as a forum to gather important fraud information and to refer complex issues between entities. Nebraska received the Aging and Disability Resource Center (ADRC) grant and ADRC is now a new partner on the SMP Steering Committee.

The SMP Director participates in the national mentor calls held monthly and communicates the discussions on latest scams, successes and Center updates with the Steering Committee. SMP Steering Committee meetings have been productive with open discussion and referrals on latest fraud cases and scams as well as some guest speakers on topics of interest.

Here is a complete list of the active SMP partners:

Nebraska AARP, Nebraska SHIIP, Nebraska Area Agencies on Aging, Nebraska Long-term Care Ombudsman Program, Nebraska Medicaid Office, Nebraska Attorney General’s Office - Medicaid Fraud Control Unit (MFCU), IntegriGuard (Program Safety Contractor), CIMRO Nebraska (Quality Improvement Organization), TRIAD, Nebraska Medical Society, Better Business Bureau, the Consortium for Dementia Alternatives and the Aging and Disability Resource Center (ADRC).



SMP Briefs features a column written by one of these SMP partners. In this issue the featured article is by Senior Anti-Fraud Education Program, Attorney General's Office.

Education is the Key to Protect Seniors Against Consumer Fraud

-Josie Rodriguez, Coordinator, Senior Anti-Fraud Education Program, Nebraska Attorney General's Office

The generation of Nebraskans who showed us how to make honor and trust a part of our everyday lives are now seeing those very principles used against them. Each year, the Attorney General's Office receives hundreds of complaints from Nebraska seniors regarding scams, online classified-ads and fraudulent telephone calls or letters.

Education is the best weapon we have to fight consumer fraud. That's why the Attorney General's Office launched its Senior Anti-Fraud Education program. SAFE's mission is to prevent the victimization of Nebraska seniors by arming them with tools to guard against consumer fraud.

Our senior outreach coordinator travels across the state training volunteers and giving SAFE presentations to those most vulnerable to consumer scams. The presentations provide information on top complaints such as foreign lottery and sweepstake scams, telemarketing and charity fraud as well as home repair scams. Outreach is further expanded through informational booths at senior festivals and fairs.

In 2010, more than 2,300 Nebraskans have received training at more than 40 presentations.

Here are some tips to help seniors protect themselves:

- Don't give out personal information such as Social Security numbers, bank account information, and credit card numbers to people you don't know.
- Never be afraid to hang up the phone on telemarketers.
- Use well-established contractors for home-repairs and building projects. Ask for all estimates in writing.
- Check out a company before doing business with them. Avoid doing business with companies that will not provide references or use high-pressure tactics.
- Protect your personal information by shredding the following: receipts, credit card statements, insurance forms, physicians' statements, bank statements, and expired charge cards.
- Remember, you cannot win a lottery, sweepstakes or contest you didn't enter.
- If something sounds too good to be true, it probably is.

For more information on volunteering, to request a SAFE presentation, or if you or someone you know has been a victim of a scam, contact our senior outreach hotline at (888) 287-0778 or visit the website at www.ago.ne.gov.

Federal Trade Commission (FTC) Releases Alert on Medical Discount Plan Scams

According to the FTC...

Medical Discount Plans are not Health Insurance.

Medical discount plans don't pay your health care costs. They're not insurance. They may offer discounts from certain providers, but you have to pay for the costs of your treatment.

Many medical discount plans don't make good on their promises. Marketers may make it sound like you'll get deep discounts, or like you're buying affordable health insurance. You learn the truth when you get the bill.

Many plans don't include local providers. Some give you outdated lists. Before you enroll in a medical discount plan or pay any money, call local providers on the list and check whether they offer the advertised discounts.

Some offers are just plain scams. The plan you buy could be worthless – or a ploy to steal your information, and then your identity. Check out the company with your state insurance department or state Attorney General.

Nebraska SMP receives National Outstanding Performance Awards for 2009 in three categories of the OIG Report.

1. Complex Issues Vigilance Award: Highest Dollar Amount Referred for Further Action in 2009
2. Complex Issues Vigilance Award: Highest Total Savings in 2009
3. Special Achievement Award: Contributed 57% of the National 2009 SMP Program Savings

Nebraska SMP developed and referred a major DME case in 2005 which eventually went to trial in the District Court. The 2009 court settlement against the DME resulted in significant savings to Medicare, Medicare and other insurance totaling \$121,450. This complex issue was first referred by Tami Barrett, local SMP Coordinator at Aging Partners.

Our challenge, recently, was to document the savings to Medicare and Medicaid showing receipt of the savings restored to these programs in order to receive the credit for the OIG Report. We were able to contact the right people in the CMS to obtain the documentation substantiating receipt of the court-ordered funds to Medicare. By working with our Program Integrity Unit, we were able to document savings to Medicaid as well in the amount of \$7,860.

It was exciting to accept the awards for Nebraska SMP along with Tami who also attended the Regional SMP conference in Kansas City.

We were also among the top five in the nation in other categories including Cost Avoidance to Beneficiaries.

Thanks to all local SMP coordinators for their efforts in conducting outreach and education, recruiting volunteers and working on the complex issues. Way to go!

PHOTO: From left, Barbara Dieker, Elder Rights Director – Administration on Aging, Madhavi Bhadbhade, Nebraska SMP Director, Tami Barrett, SMP Coordinator – Aging Partners. Photo credit: Ginny Paulson





SMP to co-sponsor Shred-it Day

Saturday, October 23

9:00 a.m. – 12:00 Noon

West Gate Bank, Old Cheney & Hwy 2, Lincoln

Bring up to three boxes or bags of documents to shred on the spot, FREE of charge
Donations of canned food or cash will be accepted for the Food Bank

Sponsored by:

Better Business Bureau

Senior Medicare Patrol, DHHS

Paper Tiger Shredding

West Gate Bank

Channel 8, KLKN-TV

Nebraska Attorney General

NEBCO

TRIAD

Recyclelink

SMP Booth at the Statewide Medicare at the Movies

Local SMP coordinators will have an SMP booth at the Statewide Medicare at the Movies events and provide one-on-one counseling to seniors.

Nebraska SMP receives Capacity Building Grant

Nebraska SMP was among other SMPs in the nation to receive the Capacity Building Grant to help recruit volunteers and enhance outreach and education efforts to prevent health care fraud. The one year grant in the amount of \$88,750 will help ensure SMP coverage statewide. West Central Nebraska Area Agency on Aging will now have an SMP program for its 17-county area of service. Aging Office of Western Nebraska will hire a contract staff to increase outreach and education in their area. The grant will enable other local SMP coordinators to enhance their outreach and increase their volunteer base.

SMP Program is recipient of the 2010 NHCAA Excellence in Public Awareness Award.

The National Health Care Anti-Fraud Association (NHCAA) announced in a letter to Assistant Secretary Greenlee on September 23rd that AoA's Senior Medicare Patrol program has been selected as the recipient of the 2010 NHCAA Excellence in Public Awareness Award. Louis Saccoccio, Executive Director of NHCAA, indicated that in the letter that "this award is given annually to an organization or individuals who have done the most in the past year to raise public awareness about the problem of health care fraud in our nation's health care system."



Mr. Saccoccio went on to indicate that the SMP program is being recognized “for its important work of informing our nation’s seniors about the dangers of Medicare fraud. In choosing this year’s awardees, we were impressed by SMP’s quantifiable achievements.” The letter included a number of 2009 SMP Program performance statistics, including numbers of volunteers, group education sessions, individual counseling sessions and inquiries received. The letter stated further that “...its [SMP] cooperation with authorities in every state, territory, and the District of Columbia has been critical to raising awareness among seniors about Medicare fraud and what they can do to help combat it.”

Barbara Dieker, Director of Elder Rights at AoA along with Shirley Merner of the SMP Resource Center will receive the award on behalf of the SMP Program on November 17th, at the NHCAA Annual Training Conference in Las Vegas, NV.

Local Happenings

Amber Springer, coordinator at South Central Nebraska Area Agency on Aging (AAA) conducted outreach and education to over 80 people at senior centers and at the Holdrege Country Club. Amber developed new partnerships with Two Rivers Health Department, Cambridge Court Assisted Living Facility and Franklin Memorial Hospital.

C.J. Roberts trained 13 volunteers in July and conducted several outreach and education events in Lexington, Ogallala, Elwood, Alliance, Benkleman, Cambridge, Arapahoe and Beaver City. This included good coverage in rural and isolated areas in her region. She also presented information at the Aging Office of Western Nebraska’s Advisory and Governing Boards.

DeAnna Tuttle gave an SMP report to the Midlands AAA Advisory Council and presented SMP information to County Senior Center Directors, Resident Councils, at the Nebraska State Fair Older Americans Festival and at county fairs.

Pat Wilcox at Eastern Nebraska Office on Aging was interviewed by WOWT, Channel 6 about SMP Program. She conducted outreach and education to about 300 people at health fairs.

Tami Barrett published an article on Veterans’ benefits in the August 28 Lincoln Journal Star, Neighborhood Extra. As a result of the article, the agency received numerous phone calls from the public. She also conducted outreach and education at several rural senior centers.

Bev Myers, Coordinator at Northeast NE AAA Participated in Husker Harvest Days and Patch Health Fair and disseminated SMP materials.

CMS Publishes Final Rule to Strengthen Protections on Medical Equipment Suppliers

On August 26, 2010, CMS issued a final rule to increase protections for beneficiaries from potentially fraudulent suppliers of durable medical equipment. By adding several new standards and strengthening existing standards that suppliers must meet before being able to furnish equipment and supplies, the new regulation will help reduce fraud in Medicare. “The steps we are taking today provide us with additional tools to support our continuing efforts to reduce Medicare fraud by helping to ensure that only appropriately qualified suppliers are enrolled in the program,” said CMS Deputy Administrator for Program Integrity, Peter Budetti.

The final rule will:

- Require Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) suppliers to obtain oxygen from a state-licensed oxygen supplier (applies only in states that require oxygen licensure).
- Require DMEPOS suppliers to remain open to the public for at least 30 hours a week, with exceptions for physicians or licensed non-physician practitioners furnishing services to their own patient(s) as part of their professional service, and DMEPOS suppliers working with custom made orthotics and prosthetics.
- Ensure DMEPOS suppliers continue to maintain ordering and referring documentation from physicians or non-physician practitioners.
- Prohibit DMEPOS suppliers from sharing a practice location with certain other Medicare providers and suppliers subject to certain exceptions.

The final rule also clarifies and expands the existing enrollment requirements that DMEPOS suppliers must meet to establish and maintain billing privileges in the Medicare program. For more information visit www.cms.gov/medicareprovidersupenroll/

SMP-OMBUDSMAN Annual Volunteer Training and Recognition

Over 70 SMP/Ombudsman volunteers attended the annual training on August 26 in Lincoln, Nebraska. Several new SMP volunteers had the opportunity to network with other volunteers and listen to excellent speakers.

The conference kicked off with a presentation by Steven Wengel, M.D., University of Nebraska Medical Center on Alzheimer's Executive Dysfunction. He described brain changes related to Alzheimer's disease and how they impact thinking and behavior, defined "Executive Dysfunction" and the role it plays in caring for people with Alzheimer's disease and concluded with assessment and treatment strategies for Alzheimer's Disease and Executive Dysfunction. This presentation was followed by a presentation on Medicare and Long-term Care Facilities by Alicia Stark, SHIP Training Coordinator. Stark discussed the dynamics of Medicare and Medicaid in LTC facilities including nursing homes, skilled nursing facilities and home health care.

Patty Pierson, State Long Term Care Ombudsman recognized volunteers for their years of service and presented appreciation gifts. The post lunch program included a hands-on exercise on Age Sensitivity by Madhavi Bhadbhade, SMP Director. Volunteers gained insight into how to be sensitive to seniors they interact with who have visual, auditory, mobility or tactile sensory impairments.

A panel presentation on Consumer Fraud Protection featured speakers from various agencies. Mark Moraczewski, Medicaid Fraud Control Unit in the Attorney General's Office, Jim Hegarty, President and CEO of Better Business Bureau and Josie Rodriguez, Coordinator of the Senior Anti-fraud Education Program in the AG's Office. The panel discussion was very well received by the volunteers.

The conference concluded with a presentation by Samantha Hoffman on Mobility and Occupational Therapy Assessment.

**Congratulations to the following SMP Volunteers who completed Volunteer Foundations Training
(List only includes volunteers who gave written consent to publish their name)**

South Central AAA

Joyce Huggans
Donna Garwood
Cathy Schievelbein



Northeast NE AAA

Mary Loftis
Shirley Pitcher
June Small
Ellen Froning
Betty Hasch
Sally Pichler
Bridget Whitmire
Cathy Hitz



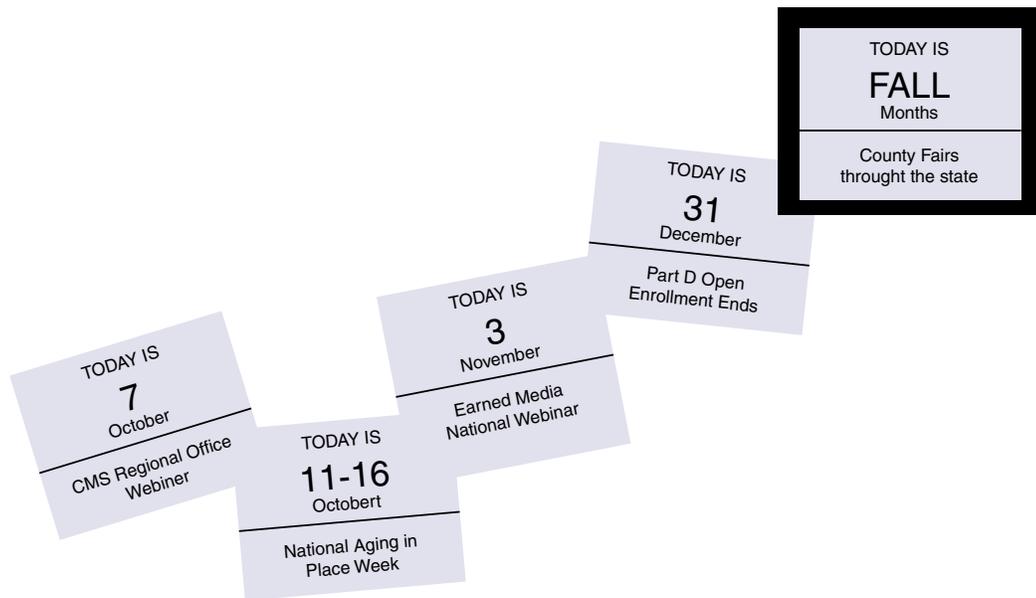
Aging Partners

Bobbie Frerichs
Lori Byers
Linda Maly
Jacki Eden
David Karr
Donald Manley
Bonnie Trouba
Marilynne Bergman
Georgiana Meyer
Thelma DeYong
Carol Kilgore
Colene Hance



SMP Calendar

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|-----------------|------------------------------------------------------------------------------------------------|
| October 5 | National SMP Mentor Call & Copyright at Work National Webinar |
| October 7 | CMS Regional Office Department of Insurance Liaisons Webinar |
| October 13 | SMP Steering Committee Meeting |
| October 11 – 16 | National Aging in Place Week |
| October 15 | Compare Medicare Part D Plans online at www.medicare.gov |
| October 27 | Foundations Training Support Series Webinar |
| November | “Medicare & You 2011” arrives in your mail |
| November 3 | Earned Media National Webinar |
| November 9 | National SMP Mentor Call |
| November 15 | Part D Open Enrollment starts |
| December 14 | National SMP Mentor Call |
| December 31 | Part D Open Enrollment ends |



Department of Health & Human Services



MILTC-PAM-4 (99464) 10/10