



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 130 volunteers. Visit http://dhhs.ne.gov/medicaid/Pages/ags_smp_index.aspx or call 1-800-942-7830.

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

In **Nebraska**, the Diabetic Supply Scam continues targeting seniors into giving out their Medicare number. In another scam, several seniors received automated calls seeking information on their bank account. A phishing email in Iowa has been reported related to the same scam. The Federal Bureau of Investigation and the Federal Trade Commission have been notified of the scam. Suspected cases of nursing homes providing unnecessary services or ordering unnecessary medical supplies have been reported in Nebraska and other states.

In **Massachusetts**, hormone injections being given to men for elevated PSA were being billed to Medicare as chemotherapy. SMP Resource Center staff attending the TRIAD national conference learned that more incidents of the “benefits counselor” scam have been reported. The callers offer to help beneficiaries resolve billing issues “at no charge” which they do but ask for a commission, a percentage of the amount refunded. Reports have been made in Georgia, Nevada, Missouri and Iowa.

Hawaii SMP reported clinics receiving a lot of faxed requests from diabetic supplies companies for physicians to authorize purchases of diabetic supplies. Also in Hawaii, clinic workers are finding beneficiaries being enrolled in Medicare Advantage Plan and the beneficiaries finding out that their doctor does not participate in the plan only after they go to the clinic.

Texas SMP continues to receive reports of “group psychotherapy.” In Texas, reports of beneficiaries being

Inside this Issue:

Scam Alert.....	Page 1
SMP Unique ID.....	Page 2
NE SMP Awarded Grant.....	Page 3
Budget and Anti-Fraud Funding.....	Page 3
Consumer Alert	Page 5
Meet Our Partners	Page 6
Elder Issues Training Web Streaming .	Page 7
Shredding Event a Success.....	Page 8
Coordinators' Corner	Page 9
SMP Calendar	Page 11

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www.dhhs.ne.gov/smp

told to have a memory test before Medicare will pay for a medication have been made. The matter is being researched by the Texas SMP.

The Centers for Medicare and Medicaid Services (CMS) issued an Alert regarding scammers offering Phony SNAP (previously Food Stamp Program) Application Assistance. There have been reports of individuals placing ads on the Internet offering assistance for filling out SNAP applications. The website asks you to provide personal information including credit card information. The alert is posted on USDA's SNAP web page at <http://fns.usda.gov/snap/alert.htm>.

CMS and Administration on Aging Roll-out the SMP Unique ID

The SMP Unique ID, modeled after a system that was developed for State Health Insurance Programs (SHIP), will allow SMP staff and volunteers to receive priority access through a separate 1-800-MEDICARE line without needing the beneficiary to be present, just as SHIP Program counselors can. A training webinar was held in November and beginning in January 2012, Nebraska SMP staff will have a SMP Unique ID that will enhance their ability to assist beneficiaries in addressing complex issues.

CMS Announces Demonstrations to Help Curb Improper Medicare, Medicaid Payments

Beginning in January 2012, CMS will conduct demonstration projects to strengthen Medicare by helping eliminate fraud, waste and abuse. These projects will help in achieving the President's goals of cutting improper payments by reducing overall payment errors by \$50 billion, cutting the Medicare fee-for-service error rate in half, and recovering \$2 billion in improper payments. Improper payments can result from medically unnecessary claims, miscoded claims, eligibility errors, or insufficient documents, according to the Office of Inspector General. While not all improper payments are fraudulent, payments resulting from fraud are improper.

- **Recovery Audit Prepayment Review:** The Recovery Audit Prepayment Review demonstration will allow Medicare Recovery Auditors (RACs) to review claims before they are paid to ensure that the provider complied with all Medicare payment rules. The reviews will focus on seven states with high populations of fraud and error-prone providers (FL, CA, MI, TX, Y, LA, IL) and four states with high claims volumes of short inpatient hospital stays (PA, OH, NC, MO).
- **Prior Authorization for Certain Medical Equipment:** This demonstration will require Prior Authorization for certain medical equipment for people with Medicare who reside in seven states with high populations for fraud and error-prone providers (CA, FL, IL, MI, NY, NC AND TX).
- **Part A and Part B Rebilling:** This initiative will allow hospitals to rebill for 90 percent of the Part B payment when a Medicare contractor denies a Part A inpatient short stay claim as not reasonable and necessary due to the hospital billing for the wrong setting. Currently, when outpatient services are billed as inpatient services, the entire claim is denied in full. This demonstration will be limited to a representative sample of 380 hospitals nationwide on a voluntary basis.

CMS reports Part C improper payment rate dropped 3.1 percentage points in 2011 from the previous year. CMS also reports for the first time a composite improper payment rate of 3.2 percent or \$1.7 billion for the Part D prescription drug program.

CMS has issued Fact Sheets on these and other initiatives available on the following websites

<https://www.cms.gov/apps/media/press/factsheet.asp?Counter=4168>

<https://www.cms.gov/apps/media/press/factsheet.asp?Counter=4169>

<https://www.cms.gov/apps/media/press/factsheet.asp?Counter=4170>

<https://www.cms.gov/apps/media/press/factsheet.asp?Counter=4171>

<https://www.cms.gov/apps/media/press/factsheet.asp?Counter=4172>

<https://www.cms.gov/apps/media/press/factsheet.asp?Counter=4174>

<https://www.cms.gov/apps/media/press/factsheet.asp?Counter=4175>

Nebraska SMP Awarded New Capacity Building Grant

Nebraska SMP has been awarded a new one-year grant to expand the capacity of the SMP program. Nebraska SMP also received a Capacity Building Grant last year to recruit and train new SMP volunteers who would expand the outreach efforts to empower seniors to prevent health care fraud.

Nebraska SMP will build on the successes under the last grant with the goal to expand the outreach and education to beneficiaries statewide, focusing on areas that have been underserved. A new goal this year will be implement the required policies and procedures of the Administration on Aging's (AoA) Volunteer Risk and Performance Management (VRPM) Program. These goals of the grant will be achieved through statewide media campaigns, enhanced partnerships with other organizations and targeting fraud prevention education in isolated areas and to minorities.

Nationally, SMPs rely on approximately 5,000 volunteers to enhance fraud prevention efforts. The SMP program is operated by the AoA in close partnership with the Centers for Medicare and Medicaid Services (CMS) and the HHS Office of Inspector General. "This demonstrates AoA's and CMS' shared commitment to educate beneficiaries so they can protect themselves and Medicare as a whole," said Assistant Secretary for Aging Kathy Greenlee. "I thank the Centers for Medicare & Medicaid Services for their continued partnership in this effort to educate seniors about health care fraud."

The following article is reprinted with permission of the SMP Resource Center, The Sentinel Newsletter, November 2011

Budget Endgame Unknown, but Anti-fraud Funding Expected to Survive

By Bill Benson and Nancy Aldrich

Health Benefits ABCs

It looks like the House and Senate appropriations bills will contain the \$581 million in discretionary funding that the president requested for the Health Care Fraud and Abuse Control (HCFAC) program despite the massive budget slashing required for federal fiscal year (FY) 2012 (Oct. 1, 2011 – Sept. 30, 2012). That's because the Budget Control Act of 2011 sets a minimum level of funding for HCFAC discretionary funds of \$581 million for FY 2012. It also allows that amount to grow over the next 10 years.

Funding of \$581 million in FY 2012 would represent a \$270 million increase over prior-year funding. Among other things, this amount of funding would allow the expansion of “up to 20 Strike Force cities to target Medicare fraud in high-risk areas and help achieve the president’s goal of cutting the Medicare fee-for-service error rate in half by 2012,” Health & Human Services Secretary Kathleen Sebelius told a House Appropriations subcommittee earlier this year. Over 10 years, this investment “yields \$10.3 billion in Medicare and Medicaid savings, a return of about \$1.50 for every dollar spent,” she said.

Legislation (S. 1599) approved in mid-September by the Senate Appropriations Committee included \$581 million, to be transferred from the Medicare trust funds, for HCFAC activities. The Senate committee allocated \$345 million for Part D Drug Benefit/Medicare Advantage (MIP), \$98 million for HHS Office of Inspector General, \$93 million for Department of Justice and \$45 million for Medicaid/SCHIP.

The HCFAC fund actually includes both mandatory and discretionary monies. Discretionary funds must be approved by Congress each year through the appropriations process. The \$581 million in requested discretionary money would be in addition to the \$1.3 billion in mandatory funds, providing a total of \$1.8 billion for health care fraud and abuse control activities in FY 2012.

Full Support for Senior Medicare Patrol

The House Appropriations Committee has not yet voted on its proposed legislation, which also includes \$581 for HCFAC. The House draft states that the Health & Human Services Secretary will support “the full cost of the Senior Medicare Patrol program to combat health care fraud and abuse.”

HCFAC appropriations in millions

	FY2010 final	FY2011 final	FY2012 request	FY2012 Senate committee	FY2012 House draft
Health Care Fraud and Abuse	\$311	\$310	\$581	\$581	\$581

Return on Investment

In its committee report (Senate Report 112-084) on the bill, the Senate committee notes: “The historical return on investment for the life of the Medicare Integrity Program has been about \$14 for every \$1 spent.”

For fraud and abuse activities throughout Medicare and Medicaid, the report adds, the federal government saves or recovers \$6 for every \$1 spent.

Watch for Medicare Changes

In addition to the appropriations process, Congress is also looking for ways to cut discretionary programs by at least \$1.2 trillion over the next 10 years. Medicare programs are protected under some

scenarios (for example, if Congress uses the across-the-board “sequestration” method to cut funding). But cuts to Medicare could occur if the deficit reduction committee now developing proposals opts to reduce provider payments or benefits.

Under one scenario of how Congress may achieve deep spending cuts, Medicare could be cut by \$170 billion from 2013 to 2021, including \$123 billion from Medicare Parts A and B and Medicare Advantage and Part D, plus \$47 billion in cuts to Medicare program activities that are not subject to a 2-percent cap, according to an analysis by the Congressional Budget Office.

Potential changes in Medicare benefits will require relearning some of the basics in order to tell what is fraud and what is not. For example, Congress may decide to require a copayment for home health care – something beneficiaries are not accustomed to paying. This might bring more inquiries to local SMP programs.

Whatever the outcome of this year’s federal appropriations process, there are bound to be changes in the future to federal entitlement programs such as Medicare. SMPs will need to stay on their toes to keep up with the changes – but then, they have always excelled at that!

Editor’s Note: At press time, Congress had just passed the FY2012 budget with the SMP program appropriations being level-funded at FY2011 of \$9 million.

The following article is reprinted with permission of the Centers for Medicare and Medicaid Services

Consumer Alert: Website Warned on Suggesting Linkage to Government Agency - Could Mislead Consumers

October 8, 2011

The Centers for Medicare and Medicaid Services (CMS) has recently become aware of a website that has the appearance of being an official government website for the Pre-Existing Condition Insurance Plan.

This new website - <http://preexistingconditioninsuranceplan.com> - is not maintained by any government programs and consumers are strongly urged not to submit any personal information requested by this website under the assumption that it is a government website.

CMS is taking the appropriate steps to protect consumers from being misled.

The Pre-Existing Condition Insurance Plan made available through the Affordable Care Act makes health insurance available to people who have had a problem getting insurance due to a pre-existing condition.

The Pre-Existing Condition Insurance Plan:

- Covers a broad range of health benefits, including primary and specialty care, hospital care, and prescription drugs.
- Does not charge you a higher premium just because of your medical condition.
- Does not base eligibility on income.

Individuals interested in this new federally backed program should visit: www.pcip.gov or call 866-717-5826.

Meet our Partners!

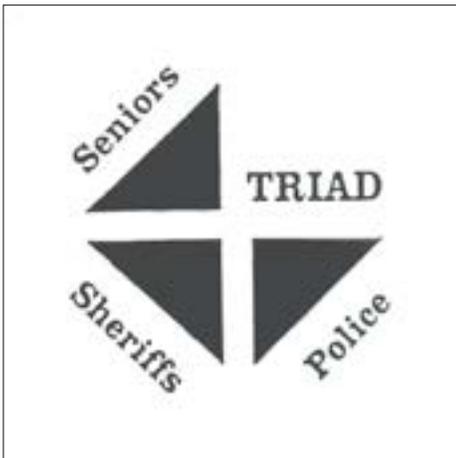
Nebraska SMP has an active Steering Committee that meets quarterly to discuss SMP related fraud and abuse issues and get updates from partner organizations. Representatives from the following organizations serve on the Steering Committee: SHIIP (Senior Health Insurance Information Program), AARP, TRIAD (a partnership of three organizations – law enforcement, senior citizens and community groups), CIMRO (a quality improvement organization), Medicaid Fraud Control Unit in the Attorney General’s Office, representative from the Consumer Protection Unit in Attorney General’s Office, Department of Health and Human Services Program Integrity staff, Nebraska Medical Society, IntegriGuard Program Safeguard Contractor, Long-term Care Ombudsman, Adult Protective Services, Senior Center Association, Area Agencies on Aging, Aging and Disability Resource Center (ADRC), Better Business Bureau, Consortium for Dementia Alternatives, Office of Health Disparities and Health Equity, and SMP Director and local coordinators. SMP has developed a new partnership with the Office of Health Disparity and Health Equity within DHHS.

SMP Briefs features a column written by one of these SMP partners. In this issue the featured article is by TRIAD.

TRIAD and SMP, Shared Efforts

By Lily Hans, TRIAD Volunteer

TRIAD is not an acronym. It is an organization that represents three segments of our community working together. The Sheriff, the Police, and Senior citizens make up the SALT Council, (Seniors and Law Together). There are TRIAD groups all over the country, each working to assist law enforcement to prevent victimization of older citizens. Every community can decide where they can be most useful to law enforcement. In 1997, when the Lincoln/Lancaster County TRIAD began, they surveyed a large group of seniors as to what they feared most. They said, murder, rape, and home invasions. What they feared the least was being swindled or scammed, even though older folks were being defrauded to the tune of millions of dollars. Since the volunteers were older, they decided that they would leave the murders and aggravated assault to law enforcement, and they would do their best at educating their peers on how to avoid becoming victims of scams, frauds schemes, and other forms of abuse.



The local TRIAD group meets monthly with representatives of the State Attorney General’s Office, the Better Business Bureau, Adult Protective Services, SMP, AARP, a local bank, and home health agency. They share information about recent fraudulent developments, and learn of new incidents and scams. The volunteers have a Speaker’s Bureau, with a PowerPoint presentation, that they take

out to organizations and civic groups giving talks about the various scams and frauds that seem to be currently prevalent. They bring with them brochures, and other handouts about all the situations that might befall them. Currently, Identity Theft issues seem to be of the greatest concern. They also sponsor radio spots reminding people of various elder abuse issues, especially about self neglect, the greatest of the abuse issues. A large billboard travels around the City of Lincoln reminding people to report any elder abuses.

There is no paid staff, so a volunteer is assigned, on a rotating basis, to answer the telephone voice mail at least once a day to answer concerns, schedule presentations and make referrals to appropriate agencies. There is also a web site <http://lancaster.ne.gov/sheriff/triad.htm>, created by one of the volunteers, with information about TRIAD, the latest scams, pictures of their various activities, and links to other agencies who also are involved in preventing scams and abuses to vulnerable elder adults.

Although Medicare and Medicaid frauds have been always been part of the TRIAD agenda, recently, with the prevalence of such outrageous abuses of Medicare and Medicaid benefits, it was decided that some SMP trained volunteers join with TRIAD volunteers to add their expertise to the message that is being presented. In turn, the SMP volunteers will become more aware of the other methods and great lengths that criminals go to cheat their fellow citizens.

Training via Live Web Streaming on Elder Issues a Sizzling Success!



“A Comprehensive Look at Today’s Elder Issues” was held on November 16 via NET satellite network at 15 locations across the state. The training was also offered via Live Web Streaming that enabled even individuals from out-of-state to participate using their computer. Over 680 people participated in the training that included a live studio audience. The morning session featured topics of interest to elder law attorneys, staff in the aging network, Adult Protective Services (APS) staff and other professionals such as staff in long-term care facilities and financial institutions. Attorneys Mary Wilson and Kevin Brostrom kicked off the training with an overview of the **Guardianship and Conservatorship**

laws. Ed Finn, Supervisor in APS and Shawn Eatherton, Buffalo County Attorney discussed issues related to **Prevention of Elder Financial Exploitation**. The important areas of **Identity Theft and Deb Collection** Issues were reviewed by attorneys William Reinbrecht and Margaret Schaefer. The morning session concluded with a discussion on **Ethics Issues in Elder Law** by attorney, Pam Car. Consumers of the Aging Network, volunteers in the Senior Medicare Patrol and the Long Term Care Ombudsman Programs joined the afternoon session that included a panel discussion on **Aging Services** - Legal Services, Long Term Care Ombudsman Program, CHOICES and Nutrition Programs by Rod Horsley, Janelle Cox, DeAnna Tuttle and Mary Humphrey, supervisors and staff from the Area Agencies on Aging with Tammie Scholz moderating the panel. **Elder Financial Exploitation** was discussed from the consumer perspective by a panel consisting of Jim Hegarty of Better Business Bureau, Bill Reinbrecht and Cindy Koenig-Warnke of the Lincoln Police Department. The day-long training ended with an overview of **Medicare** by program trainer, Bobbie Kierstead, information

on **Senior Medicare Patrol Program** by Tami Barrett, coordinator and **ACCESSNebraska**, by Karen Heng, Administrator.

The feedback from participants was very positive. Jane Prochaska, a retired judge from Omaha emailed Madhavi Bhadbhade, SMP Director who had organized the training stating, “I just wanted to let you know that the web conference was excellent! I am so glad that I signed up for it. Not only was the information relevant for me as an attorney and probate judge, but also as an assisted living home owner dealing with vulnerable adults all the time. I watched from beginning to end, and absolutely every single topic was interesting and informative. The speakers were excellent....I hope you can repeat this conference again in the future, as so much of this information changes all the time. I would certainly attend again, and I would encourage others to attend, as well.”

Participants had the opportunity to phone-in or email their questions that were answered by the speakers during the webcast. Attendees received CEUs and attorneys received Continuing Legal Education Credits at no cost. The State Unit on Aging within the Medicaid and LTC Division partnered with the Nebraska State Bar Association’s Elder Law Section to sponsor the training. The training video and handouts have been posted on the agency website at http://dhhs.ne.gov/medicaid/Pages/ags_training.aspx.

Shredding Event a Success!

SMP partnered with Better Business Bureau and other partners to sponsor the 2011 Shredding events in Lincoln and Omaha in October. SMP materials were disseminated to over 500 cars that came through with bags of paper to shred at each of the two locations.

In Lincoln, 20,200 lbs of paper were shredded on the spot in trucks from Paper Tiger Shredding. Volunteers collected over \$1,400 in cash and gathered 256 lbs of food for The Food Bank of Lincoln.

SMP and other participating agencies received publicity on local television news programs and newspapers.

The URL for the SMP webpage is changing to: http://www.dhhs.ne.gov/medicaid/Pages/ags_smp_index.aspx

Bookmark this page on your computer. The old URL will be redirected to the new one.





Coordinators' Corner

Blue Rivers Area Agency on Aging (Barb Ebke, SMP Coordinator)

Group presentations were made at senior centers and SHIIP workshops.

Dissemination of SMP materials occurred at assisted living facilities, SHIIP Shop and Compare Events.

New volunteers recruited and trained. Ads published in newspapers; 235 posters sent out by local Chamber of Commerce and SMP information was posted on Chamber website.

Outreach at Senior Fairs and Husker Harvest Days. Staff recruited and trained a new volunteer. Staff proactively contacted the radio and television media to schedule a meeting to talk about SMP.

Aging Office of Western Nebraska (C.J. Roberts, SMP Coordinator)

Presentations were made at senior centers, Spring Wellness Festival, Assisted Living Facilities, Rural Health Centers and Facilities Resident Councils. Staff and volunteers disseminated materials at ALF, rural health clinics, senior centers and libraries. One-on-one counseling was provided to seniors.

Staff held monthly volunteers meeting and shared scam information. Volunteers were provided one-on-one counseling during SHIIP Open Enrollment sessions. Volunteer made group education presentation at Gering Senior Center.

Midland Area Agency on Aging (DeAnna Tuttle, SMP Coordinator)

Outreach events and presentations were made at League of Women Voters, Resident Councils, AAA Governing Board, and County Directors, Health Fairs, New to Medicare beneficiaries, trained volunteers on making presentations, presentations by volunteers at Lions Club and senior centers, booth at Senior Fest, Open Enrollment Events. Exhibit booth were sponsored at county fairs, Husker Harvest Days and State Fair; staff recruited new volunteers who took online Foundations training; SMP Ad and articles were published in the agency newsletter. One-on-one Counseling was provided to a new retiree. Staff participated in Clay County Health Fair, Part D enrollment events and made presentations at RSVP Programs and Blue Hill Community Club. SMP Coordinator participated in a panel discussion at the Elder Issues Webcast in November.

South Central Nebraska Area Agency on Aging (Lacey Cover, SMP Coordinator)

Outreach and education events were held at hospitals, health fairs, rural clinics, senior centers, open enrollment events, event for Congressman at senior center, assisted living facilities, YMCA, libraries and Kearney Housing Authority. Group presentations were made to community college nursing students. Outreach provided at Husker Harvest Days, Medicare Made Easy and SHIIP events. One-on-one counseling and outreach was provided at several open enrollment events during November. SMP coordinator was interviewed for a newspaper article in the Kearney Hub.

Eastern Nebraska Office on Aging (Pat Wilcox, Sandi Gibson, SMP Coordinators, Sue Fredricks, Director – Volunteers Assisting Seniors)

Numerous outreach and education events were reported including Medicare at the Movies events, senior centers, open enrollment events, health fairs, home health organization, senior women's group, volunteer appreciation night at Bellevue Little Theater, Creighton University, Methodist College, New to Medicare Workshops, Homestead Exemption events, Rehab staff and community based organizations. SMP Ad was published in multiple issues of the New Horizons Magazine. Staff participated in Elder Fair at local community College and made presentations at low-income senior housing and resident council meetings. Staff participated in VA Health Fair and developed and distributed SMP Bookmarks and giveaway items. Contractor had several media activities for publications like Senior Lifestyles, New Horizons, North Bend Eagle, Enterprise Publishing, Scribner Rustler, Dodge Criterion, Fremont Tribune and VAS newsletters. Presentations were made at New to Medicare workshops and included SMP information in New to Medicare packets. Several new volunteers were recruited and trained. Staff participated in the VA Volunteer Fair and attended the Aging with Grace Conference and distributed SMP materials.

Aging Partners (Tami Barrett, SMP Coordinator)

Outreach and education events held at Shred-it event, senior centers, churches, Medicare at the Movies, assisted living facilities, high schools, rotary club, health fairs and libraries. Coordinator was interviewed by local newspaper, had an article published on Veterans' benefits scam, and recruited and trained several new volunteers. Staff conducted training for volunteers on the "Do's and Don'ts of Marketing Advantage Plans." Group presentations were made by staff and volunteers at various

long-term care facilities, Area-wide Council of Aging Partners, local church and at the Elder Issues Webcast. Staff helped a senior who was a victim of a scam by guiding her to contact her bank to stop withdrawals from her account.

Northeast Nebraska Area Agency on Aging (Bev Myers, SMP Coordinator)

Outreach and education events at senior centers, Assisted Living Facilities, county health fairs, SHIIP consultations, open enrollment events, Resident Councils, community college, agency Governing Board and Medicare at the Movies . Additional outreach was conducted at Husker Harvest Days and Patch Health Fair. Volunteer did a news release on scams and fraud. New volunteers were recruited and trained. Staff provided one-on-one counseling to a large number of beneficiaries during Open Enrollment events and mailed several SMP Brochures to beneficiaries in various counties.

West Central Nebraska Area Agency on Aging (Rhonda Godbey, SMP Coordinator)

Outreach and education events were held at several assisted living facilities and nursing homes, senior centers, health fairs, rural health clinics, local banks, and open enrollment; recruited and trained several new volunteers.

Calendar of Events

- January 11 SMP Steering Committee Meeting
- January 12 Volunteer Risk and Program Management Webinar
- February 2 SMP Coordinators Conference Call
- March 1 SMP Coordinators Conference Call

HAPPY NEW YEAR!

