



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

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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.

A beneficiary in **Nebraska** received a postcard requesting personal information and offering treatment for erectile dysfunction. The postcard states that the treatment is covered by Medicare. The company is Stamen Medical Systems out of Georgia. Further investigation revealed that it is covered by Medicare and can be considered medically necessary.

The HCPCS procedure code is L7900 and Medicare approves \$492.27 of the \$495 billed. Medicare pays the provider, Stamen, \$393.82 and the beneficiary is billed for the 20 % coinsurance, \$98.45.

Georgia SMP director shared that a search warrant was served on them in Sept. 2010 by the OIG and the FBI in Georgia. There is a current ongoing national investigation against this company. Questions exist as to the efficacy of the device, the cheap plastic material from which it is made and the quality of the product.

Several **Nebraska** residents received a letter in the mail from a hearing aid distributor in Oregon offering free hearing exams under a "Nebraska Stimulus" program. While the company is legitimate and approved under Medicaid the advertising tactics are misleading. Nebraska SMP is working with BBB and Attorney General's Office (AGO). AGO has issued a "Cease and Desist" letter to the company asking them to stop sending letters to Nebraska residents.

Louisiana SMP reported a Durable Medical Equipment (DME) supplier approaching small church congregations inviting the membership to join the DME with no co-pay. They are told

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that a generous congregation in the country has covered the cost for smaller congregations and then attempts are made to obtain personal information.

One SMP has reported a contractor who comes in after disasters such as fire or tornado and asks the victim to sign a contract that says the person has to pay ahead of time. The contractor does not do the work on the project and then files liens when the consumer does not pay.

Iowa SMP reports a scam where the caller claiming to be from an insurance company tells the beneficiary that there are mistakes in the new Medicare and You Handbook and that the insurance company is supposed to come and give them the correct information.

A senior center in **Missouri** was contacted by a company that wanted to sell identity theft protection. Consumers would enroll though the senior center would get a fee.

North Carolina SMP reports that a caregiver from a home health agency asked a beneficiary if she could use one of the beneficiary's pain medications because the caregiver's back hurt. The caregiver then took the information off the bottle, re-ordered the pain medication and was found selling the drugs on the street.

In **Delaware**, prostitutes are soliciting men at senior high rises and stealing their social security checks and prescription drugs.

Be on the alert during Medicare Disenrollment period in January which has potential for scams where sellers may try to get beneficiaries to change plans.

New Medicare Cost/Premiums for Beneficiaries with Higher Income Bracket

Beginning January 1, 2011, premium amounts will be adjusted for higher income levels. The adjusted amount will be deducted from Social Security checks. A letter about this has been mailed to beneficiaries. This affects Parts B, D and could affect Part C or an employer-subsidized plan. The additional dollars will go back into the Medicare Trust Fund to fill the coverage gap. These changes affect about 5 percent of Medicare beneficiaries. Beneficiaries will pay the extra amount in addition to their monthly Part D plan premium.

If beneficiaries are not satisfied with the determination made, they can request a review. Re-consideration can be made based on life changing events such a marriage, divorce, annulment of marriage, death of spouse, loss of employment or reduced earnings of spouse, lost income from income-producing property due to a disaster or events beyond your control or termination or reduction of you or your spouse's pension plan.

Medicare Announces New Competitive Bidding Process for DMEPOS

(Adapted from CMS Bulletin)

Starting January 1, 2011, Medicare is instituting a new competitive bidding process in some areas of the country for Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS). The process will change the amount Medicare pays suppliers for certain equipment and supplies.

If you have original Medicare and live in or travel to one of the following areas and use the equipment or supplies included in the program, you will have to use a Medicare contract supplier.

- Charlotte-Gastonia-Concord (North Carolina and South Carolina)
- Cincinnati-Middletown (Ohio, Kentucky, and Indiana)
- Cleveland-Elyria-Mentor (Ohio)
- Dallas-Fort Worth-Arlington (Texas)
- Kansas City (Missouri and Kansas)
- Miami-Fort Lauderdale-Pompano Beach (Florida)
- Orlando - Kissimmee (Florida)
- Pittsburgh (Pennsylvania)
- Riverside-San Bernardino-Ontario (California)

The program is aimed at helping you and Medicare save money; ensure that you have access to quality medical equipment and supplies from suppliers you can trust and help limit fraud and abuse in the Medicare Program.

For more information on this program call 1-800-Medicare (1-800-633-4227) or visit www.medicare.gov
You may also call SHIP at 1-800-234-7119

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: SHIP (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 and SMP Director and local coordinators. SMP Briefs features a column written by one of these SMP partners. In this issue the featured article is by Better Business Bureau.

BBB Alert: Scams Targeting Seniors are Rampant -Jim Hegarty, President and CEO, Better Business Bureau

Not long ago an elderly woman in Nebraska received a phone call with an appealing offer that almost seemed too good to be true. A company wanted to put all of her health information on a special medical data card, which would be available if Fire & Rescue crews were ever called to her home. The phone solicitor said emergency responders could just swipe the card and instantly have all her health information at hand to ensure she received proper care. All she had to do was pay \$500 and the card would be sent to her.

Unfortunately, it was an offer too good to be true. Emergency responders in the area served by the Better Business Bureau (BBB) – Nebraska, South Dakota and southwest Iowa – have never heard of these data cards, because they don't exist. The caller was a scam artist, one of thousands of scammers who prey on our senior citizens every day.

Senior citizens are especially vulnerable to consumer fraud because they are generally trusting of others, live on fixed incomes and look for ways to extend their limited dollars. In addition, because senior citizens are frequently at home, they can be ready prey for fraudulent telemarketers and door-to-door sales persons. They are inclined to trust strangers who are friendly and appear to have their best interests at heart. Raised to be polite and accommodating, seniors often have difficulty saying “no” or hanging up on con artists.

They may also be reluctant to admit when they are victimized, fearing that their family members may think they can no longer handle their own affairs. Therefore, thousands of senior citizens are ripped-off every day by scam artists using many different types of schemes and approaches such as: Identity Theft, Fraudulent Insurance Offers, Foreign Lotteries, Sweepstakes, Investment Scams, Prescription Drug Offers, Home Improvement Scams and Mortgage and Foreclosure Fraud.

“When you see just the amount of mail, phone calls and email the BBB receives from seniors, the number of potential scam efforts against them is staggering,” stated BBB president and CEO Jim Hegarty. “Therefore, BBB is committed to offering seniors information about how to recognize common scams and avoid becoming victims of consumer fraud. That is why we have established BBB Senior Line. If you are a senior or family member of one, I encourage you to call our **toll-free Senior Line at 877-637-3334**. And remember that if an offer sounds too good to be true, it probably is. So take the time to check it out with the BBB.”

SAFETY TIPS FOR SENIORS

- Don't believe that everyone calling about a promotion is trustworthy
- Don't be fooled by the promise of a valuable prize
- Never disclose information about your bank account or credit cards
- Never be pressured into sending money for a “free” prize
- Don't be afraid to hang up the telephone
- Don't invest or purchase without first checking the product and company
- Never allow door-to-door salespeople into your home
- Never be pressured into signing a contract
- Always get two or three written estimates when considering home repairs
- Always deal with reputable companies and check with your BBB before buying a product or service
- Be cautious of solicitations especially from outside your area



About the BBB

Better Business Bureau, Inc. (BBB) has been serving the region for more than 70 years and is a private, nonprofit organization dedicated to promoting trust between consumers and the business community. Accountability, education and recognition are key components to the BBB's mission of fostering trust in the marketplace. Today, the BBB has a membership of more than 7,500 companies in Nebraska, South Dakota and southwest Iowa. Consumers are encouraged to report complaints and possible scams to the BBB. The BBB annually honors organizations and companies that demonstrate exceptional business ethics with the prestigious Integrity Award. As a matter of policy, the BBB does not endorse any product, service or company. For more information, please visit bbb.org and "Start with Trust."

The following article is reprinted with permission of the National Consumer Protection Technical Resource Center

2010-2011 Flu Season: No 'Free' Lunch

By Jolie Crowder, RN, MSN and Bill Benson, Health Benefits ABCs

It's that magic time of year: There's a nip in the air, holiday decorations are lining the shelves and the pesky flu bug is just staring to raise its ugly head. The dreaded symptoms: fever, coughing, runny nose, sore throat and the vague sensation that you've been run over by a bus.

For Medicare beneficiaries, an ounce of prevention can mean the difference between life and death. According to the U.S. Centers for Disease Control and Prevention (CDC), seniors account for an estimated 60 percent of flu-related hospitalizations. According to the Centers for Medicare and Medicaid Services (CMS), about 24,000 people die from flu-related complications, 90 percent of whom are ages 65 and older. The CDC terms these deaths as "vaccine-preventable."

Even though Medicare Part B recipients can receive the flu vaccine at no cost, the latest estimates by the CDC show that only 65 percent of individuals 65 and older receive it. As a trusted, local source, SMP staff and volunteers are in a position to serve as knowledgeable resource for acceptable – and unacceptable – marketing and billing practices.



Here are some facts to help arm you for the 2010-2011 flu season:

- This year's vaccine protects against three flu viruses: H3N2, Influenza B and H1N1 (last year's troublemaker).
- This season, people 65+ have two flu shot options: the regular dose and a higher dose designed for people 65+. Note: The CDC has not expressed a preference for either vaccine.
- Medicare Part B pays for one seasonal influenza immunization at no cost to beneficiaries. There is no coinsurance or copayment, and no deductible must be met.
- Medicare is the primary payer for the flu vaccine and will cover 100 percent of the cost.
- Medicare reimburses separately for the administration and the cost of the vaccine.
- All participating health care providers who do not accept assignments can still administer the vaccine. However, they must submit an unassigned claim on the beneficiary's behalf and may collect payment for the difference directly from the beneficiary. These nonparticipating providers must accept assignment for the cost of the vaccine itself.
- Beneficiaries should not have to submit a claim to Medicare to be reimbursed for a flu shot.
- Health care providers cannot charge a Medicare beneficiary more for an immunization than they charge a non-Medicare patient.
- Health care providers cannot request or require a specific dollar "donation" for providing flu shots.
- Flu vaccines should not be marketed as "Free" if the health care provider intends to bill Medicare for any part (vaccine or administration).
- An MSN will be generated for flu shots for those in Original Medicare. Many Medicare Advantage plans also issue a beneficiary statement for the flu shot.
(Excerpted from the CDC website and the CMS 2010-2011 Immunizer's Question and Answer Guide)

The timing of flu season varies but most often peaks in January or February and can stretch into spring. Right now, disease activity is low, but that can change fairly quickly.

Medicare's open enrollment season coincides with the National Influenza Vaccination Week December 5 – 11 and could provide opportunities for collaborative outreach with organizations promoting the importance of flu shots.



Shredding Event a Success!

SMP partnered with Better Business Bureau and other partners to sponsor the 2010 Shredding event in Lincoln in October. SMP materials were disseminated to about 500 cars that came through with bags of paper to shred. 17,600 lbs of paper were shredded on the spot in trucks from Paper Tiger Shredding; 595 lbs of cardboard were recycled by RecycleLink. Volunteers collected over \$1,100 in cash and nearly 700 lbs of food for The Food Bank of Lincoln.

KLKN provided forty-one 15 sec PSA's between October 16 and October 23. SMP and other participating agencies received publicity on local television news program and newspaper.



Local Coordinators' Corner

Veterans—Make Sure You Understand Your Benefits **By Tami Barrett, SMP Coordinator, Aging Partners Area Agency on Aging**

A presentation made earlier this summer at a Lincoln area retirement community bears closer scrutiny. In a call to Aging Partners, a resident living in the retirement community passed along this story.

The presenter came from a private company whose name sounded a lot like the Veteran's Administration. The presentation was on 'improved pension benefits for veterans.' The apartment community sponsored the presenter and the apartment manager agreed to credit each resident \$400 on their next month's rent if they enrolled in the program as it was being presented.

Thus the first red flag appears in this story. The \$400 financial arrangement is often referred to as a "kick-back," a practice that raises ethical questions.

The resident continued the story. The presenter said, "I know how to make you eligible for over \$2,000 per month in addition to your regular pension. I have a secret recipe that will give you this. I can't tell you what is in my recipe, but I know how to hide your assets. All you need to do is meet with me privately after my presentation and fill out some paperwork."

This statement caused me alarm. My first step was to call the Veteran's Administration. Every county has a county veteran's service officer ready to assist veterans at no cost. Aging Partners has a strong working relationship with the local veteran's service officer and I was able to get good information regarding veteran pension benefits.

I learned that presentations like this one have been occurring more frequently in southeast Nebraska. The speaker was informing the audience on a legitimate benefit called the "Aid and Attendance Program." Veterans, and their widows, may be eligible for this benefit if they meet certain monthly income and asset guidelines. Other benefit categories and considerations for dependents apply, which increases pension payments.

The speaker's strategy and approach was truly unfortunate. According to the resident who shared this story, the presenter led people, even non-veterans, to believe that everyone was entitled to this benefit. Residents met privately after the presentation to sign "paperwork." Apparently, the "paperwork" in question was the beginning of establishing a trust in order to hide assets. This process wouldn't necessarily guarantee success since monthly income guidelines would still need to be met. In the end, those that signed up were left with a management fee for the trust, no VA benefit, and lost control over the funds.

Veterans eligible for any VA benefit should contact their county veteran's service officer. They are more than willing to assist veterans at no cost.

For more information on the VA benefits visit: www.va.gov.

Local SMP Coordinators Participated in various activities during the Annual Enrollment Period:

1. All local SMP coordinators are SHIIP-trained counselors who helped beneficiaries sign up for plans during open enrollment
2. All SMP coordinators disseminated SMP materials such as the brochure and health care journal at open enrollment events
3. Some SMP coordinators made a formal presentation on the SMP Program at open enrollment events
4. Some SMP staff assisted co-workers in the office and friends and family at home in signing up for the plans
5. SMP coordinators participated in open enrollment events in urban as well as rural areas in the state

SMP Coordinators disseminated materials and/or made presentation on the SMP program at the Medicare at the Movies events and SHIIP Update trainings across the state. SMP coordinators and volunteers conducted outreach at health fairs, county and state fairs, Husker Harvest Days, senior centers, etc. in the fall.

Welcome New SMP Coordinators!

Barb Ebke, Blue Rivers Area Agency on Aging

Barb worked as Service Coordinator and Manager at an Independent living facility for the last 7 years. Prior to that she worked as clerk at the Gage Co. Treasures Office and worked for 15 years at the YMCA as the Membership Director. She has completed training for certification of Management in Tennessee. She is married with 3 grown children.

Bev Myers, Northeast Nebraska Area Agency on Aging (NENAA)

Bev has worked in the mental health field for the past 17 years in various capacities (vocational evaluator, hospital social worker, mental health practitioner etc.) She has a Bachelors Degree in Business and a Masters Degree in Agency Counseling.

Nancy Steel, Aging Office of Western Nebraska

Nancy has a B.S. degree from Colorado State University. She was employed for many years as a parish worker/administrative assistant for Calvary Lutheran Church in Scottsbluff. More recently, she has been an SMP volunteering.

Rhonda Godbey, West Central Nebraska Are Agency on Aging

Rhonda has worked at WCNA AAA for several years as the SHIIP Coordinator. She also assists in conducting outreach to seniors about legal services including the Elder Access Line. Rhonda was assigned as the SMP Coordinator with the expansion of the SMP program to the WCNA AAA that did not have an SMP program prior to Nebraska receiving the SMP Capacity Building Grant.

Sandi Gibson, Eastern Nebraska Office on Aging

Sandi has an R.N. background. She worked at a local hospital for 9 yrs before she retired two years ago. Sandi was an Ombudsman volunteer for 10 months before taking the present part-time position assisting SMP Coordinator, Pat Wilcox with outreach and education.

Rita Sparr, Long-Term Care Ombudsman, Northeast Nebraska Area Agency on Aging

Rita was hired as the LTC Ombudsman in early 2010. She is also assisting the SMP coordinator at NENAAA with program outreach and education.

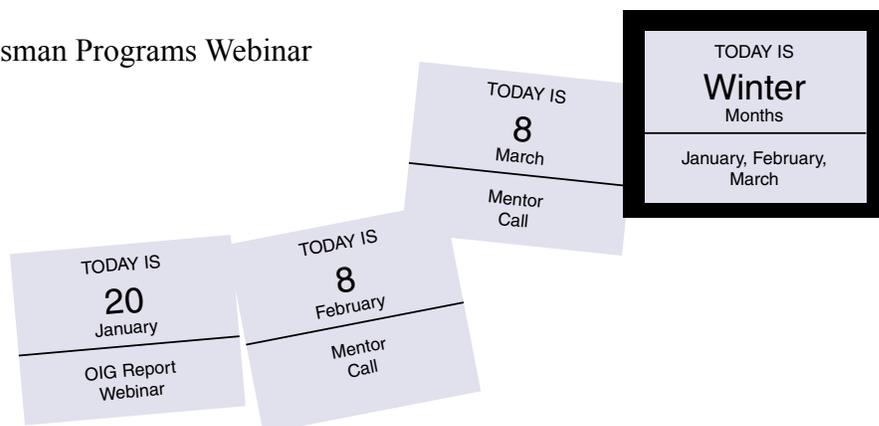
Some of the new staff was hired due to turnover in the position and some were hired under the SMP Expansion Grant. Training for new staff was held in November. Nebraska SMP is delighted to have the staff on board.

SMP Semi-Annual Report

The semi-annual report for the period June 1, 2010 through November 30, 2010 was submitted to the Administration on Aging in December. The report highlighted outreach, education, partnerships, and events such as training, conference, and Steering Committee meetings and media activity for the six-month period. To request a copy of the report contact Madhavi Bhadbhade, SMP Director at 402-471-2309 or email: Madhavi.bhadbhade@nebraska.gov

Calendar of Events

- January 11 – SMP Mentor Call
- January 12 SMP Steering Committee Meeting & SMP Media Campaign Launch National Webinar
- January 20 – OIG Report Webinar
- OIG Performance Report for 2010 Due
- February 3 – SMP Coordinators Monthly Conference Call
- February 8 – Mentor Call
- February 17 – Foundations Training Support Series Webinar
- March 8 – Mentor Call
- March 22 – SMP-Ombudsman Programs Webinar





From Nebraska SMP

Department of Health & Human Services



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