



# **COMPLIANCE RISKS** **IN HOME HEALTH**

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# CURRENT STATE OF HOME HEALTH INDUSTRY

- ★ 7000 Medicare HHAs
- ★ \$10 Billion Annual Medicare Expenditures
- ★ \$6-14 Billion Annual Medicaid Expenditures
- ★ 10,000 (est) Non-Medicare Home Care Providers
- ★ \$35 Billion Total Expenditures

# HOME HEALTH TRENDS

- ★ Stable Provider Marketplace
- ★ Continued Range in Provider Types
- ★ Slow Growth in Medicare and Medicaid
- ★ Medicare Margins, Medicaid Losses

# HOME HEALTH TRENDS (continued)

- ★ Ongoing Claim Oversight
- ★ Quality of Care Focus
- ★ PPS Under Medicare
- ★ Per Visit Rates Under Medicaid

# STRUCTURAL COMPLIANCE

## RISKS: PAYMENT

### **MEDICARE PPS**

- ★ HHRG Coding/OASIS
- ★ LUPA Threshold
- ★ MO 825 Adjuster (Therapy Threshold)
- ★ PEP
- ★ SCIC
- ★ Outliers
- ★ Extended Episodes
- ★ Cost Reports

# PAYMENT

## MEDICAID

- ★ Public charge
- ★ Billing Increments



# STRUCTURAL COMPLIANCE RISKS: CLAIMS

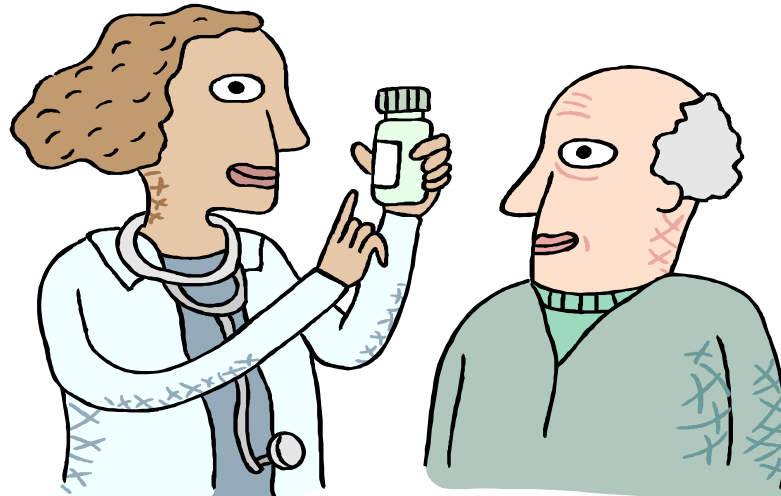
## **MEDICARE**

- ★ Physician Order
- ★ Physician Certification
- ★ Homebound Status
- ★ Medical Necessity
- ★ Provision of Services

# CLAIMS

## MEDICAID

- ★ Timeliness of Orders
- ★ Dual Eligibles
- ★ Appropriate Home Care Program
- ★ Provision of Services





# **STRUCTURAL COMPLIANCE**

## **RISKS: QUALITY**

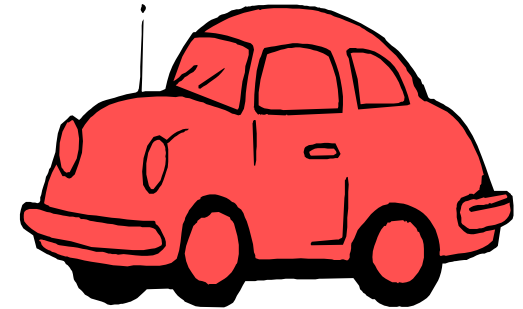
### **MEDICARE AND MEDICAID**

- ★ Services as ordered
- ★ Discriminatory Admissions
- ★ Payment Driven Care Planning
- ★ Patient Rights
- ★ Patient Goals

# ANTI-KICKBACK RISK AREAS

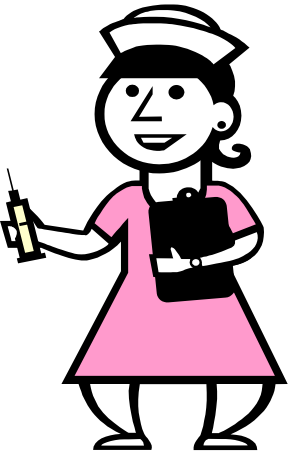
## GIFTS TO PATIENTS

- ★ Transportation
- ★ Monitoring Systems
- ★ Preventative Health Screenings
- ★ Housekeeping

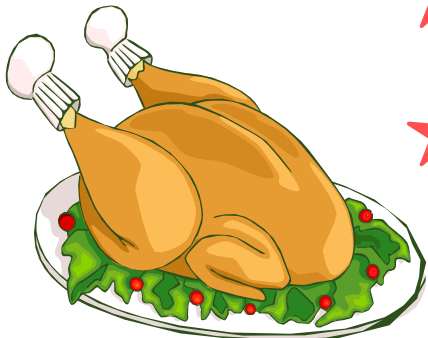
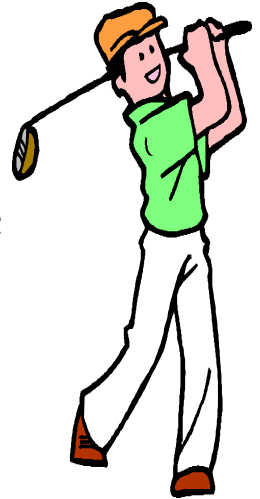


# ANTI-KICKBACK RISK AREAS (continued)

## **GIFTS TO REFERRAL SOURCES**



- ★ Nurse Staffing (Phys., ALF, NF)
- ★ Discharge Planning
- ★ Subcontracted Care Purchase
- ★ Wellness Screening
- ★ Dinner, Golf, Entertainment



# ANTI-KICKBACK RISK AREAS (continued)

## PHYSICIAN RELATIONSHIPS

- ★ Billing Assistance
- ★ Medical Director
- ★ Space Rental
- ★ Ownership of Nonmedicare HHA
- ★ Education/Travel
- ★ Cash

# RECOMMENDATIONS

## REVISED COMPLIANCE PLAN

- ★ Update on OIG Model

## ★ QUALITY OF CARE COMPLIANCE PLAN

- ★ Patient Acceptance/Discharge

- ★ Care Planning

- ★ Interdisciplinary Team

# QUALITY COMPLIANCE

## PLAN: RISK AREAS

- ★ Premature Discharge
- ★ Inadequate Frequency and Duration
- ★ Inappropriate Disciplines of Care
- ★ Failure to Provide a Discipline of Care
- ★ Use of Substitute Services
- ★ Inadequate Caregiver Training
- ★ Inadequate Patient Assessment

# QUALITY RISK EVALUATION

- ★ OASIS
- ★ Internal and External Benchmarks
- ★ Patient Record
- ★ Patient Outcomes, e.g. ER, Infection
- ★ Discharge Policies
- ★ PPS Implementation Strategies
- ★ Incentive Compensation
- ★ Staff Culture

# PAYMENT COMPLIANCE: RECOMMENDATIONS

## PPS COMPLIANCE

- ★ Coding
  - ★ Training
  - ★ Cross Assessments
  - ★ Validation
  - ★ Oversight



# RECOMMENDATIONS (Continued)

## ★ LUPA

- ★ Pre-billing

- ★ Review all cases w/S-7 visits

## ★ M0825

- ★ Evaluate Care Planning

- ★ Monitor Documentation

- ★ Apply Practice Standards

# CONCLUSION

## OLD COMPLIANCE SYSTEMS STILL VALUABLE

- ★ Modernization of Compliance Measures Needed
- ★ Quality of Care Compliance Central

