

**OIG Exclusion Authority Expansion  
and Proposed CMP Update**

HCCA Regional Conference  
Nashville

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**Congressional Bill to Expand OIG  
Authority to Exclude**

Fill in gap identified

- Individual was an Officer or managing employee with organization that has been penalized for fraud
- This would expand current law that limits exclusions for individuals who are currently employed at that company

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**CMP Fines will Increase**

- Adjusted for Inflation
- Federal Civil Penalties Inflation Adjustment Act of 2015
- Effective Date no later than Aug 1, 2016.

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### Proposed 21st Century Cures bill

- Expand CMP for false claims related to contracts and grants funded by Medicare and Medicaid or other HHS programs
- Authorize OIG to impose CMP on individuals or entities knowingly submit false claims, up to \$10,000 for each claim.
- Expansion would include false statements on applications or proposals for HHS funded grants/contracts, up to \$50,000 for each false statement.
- No more than \$15,000 for each day individual/entity fails to allow HHS OIG access to audit or investigate false claims

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### CMP Fines for Skilled Nursing Facilities

- More than double
- Effective Sept 6, 2016
- Raise max penalty for out of compliance SNF from \$10,000 per day to \$20,628 per day
- (not been adjusted since 1987)
- Also, if individual notifies SNF of impending survey prior to it occurring
- Improper billing
- Per instance for failing to meet certification requirements.

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### Questions?

- Michael Rosen, Esq.  
Co-Founder, General Counsel  
ProviderTrust, Inc  
[mrosen@providertrust.com](mailto:mrosen@providertrust.com)  
615-938-7878 ext. 7010

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