Government Update from OIG

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Overview

I. Holistic review of OIG’s current priorities

II. Summary of anticipated OIG evaluation, audit, and enforcement work

III. Deeper dive into three topic areas:
- drug pricing
- opioid misuse
- nursing home quality and enforcement
Medicare and Medicaid

1 in 3 Americans

OIG Statistics FY 2018

Criminal Actions 764
Civil Actions 813
Exclusions 2,712
DOJ Statistics FY 2018

Healthcare Fraud Recoveries: $2.5 Billion

More than 645 Qui Tams Filed (~12 a week)

OIG’s Current Priorities

- Work Plan
- Semi-Annual Reports to Congress
- HCFAC Reports
- Top Management Challenges
OIG’s Current Priorities
Work Plan

• Mandatory OIG reviews
• Requests from Congress and HHS management
• OIG Top Management Challenges and Strategic Plan
• Discussions with CMS and other HHS agencies
• Emerging issues
• Unimplemented OIG recommendations

OIG’s Current Priorities
Semi-Annual Report

• Identifying Improper Payments and Opportunities for Savings in HHS Programs
• Fighting Fraud in HHS Programs
• Preventing and Treating Opioid Misuse
• Protecting the Health and Safety of Children in HHS Programs
• Ensuring Quality and Integrity in Medicare’s Hospice Program
• Improving Financial Management and Reducing Improper Payments in Medicare
• Protecting the Integrity of the Medicaid Program
• Protecting Health and Safety in Adult Day Care Facilities
• Ensuring Quality & Integrity in Programs Serving American Indian/Alaska Natives
OIG’s Current Priorities
Top Management Challenges

1. Opioid Misuse
2. Administration of Medicare
3. Administration of Medicaid
4. Managed Care and Other Innovative Models
5. Health and Safety of Vulnerable Populations
6. Financial and Administrative Management and Reducing Improper Payments
7. Integrity of HHS Grants
8. Safety of Food, Drugs, and Devices
9. Quality/Integrity in Programs for American Indian/Alaska Natives
10. Cybersecurity Threats
11. Management of HHS Prescription Drug Programs
12. Preparation and Response to Public Health Emergencies

OIG Fraud Risk Indicator
Anticipated Priorities

Continued Focus on Opioids

Focus on using data to ferret out fraud and improper payments

EMTALA

Provider use of data and IT infrastructure

Opioids- OIG Report Work

• OIG Report- Opioids in Medicare Part D: Concerns about Extreme Use and Questionable Prescribing
  - 1 in 3 Medicare Part D patients prescribed opioids
  - 400 prescribers found to have questionable practices

• OIG Toolkit
  - Using data analytics to identify patients at risk
  - Suggested practices for correcting overprescribing
**Opioids- Enforcement**

- 2018 Takedown
- Criminal cases
  - Pill mills, invalid prescriptions, marketing, kickbacks
  - Examples: Dr. Rassan Mohammad Tarabein, Dr. Michael Alson Smith
- Civil Cases
  - Invalid prescriptions, marketing, kickbacks
  - Companion and derivative cases
  - Examples: Matthew Anderson, and PMC Management Company, LLC
- Scope of OIG’s CMP Exclusion Authorities in this Area
  - Exclusion of Dr. Vinod Sharma for 3 years

**Drug Pricing- OIG Report Work**

- Provision of Drug Rebates
  - Medicare Part D Drugs
  - Medicaid Drugs
  - 340B Pharmacies
- Calculating Coverage Gap Decisions
- Drug Price Reporting
- Specialty Drug Pricing
Drug Pricing- Enforcement Actions

• Patient Assistance Programs
  • United Therapeutics
    • Recession of OIG Advisory Opinion No. 06-04
    • Letter to PhRMA
    • First CIA with specific provisions overseeing PAPs
  • Pfizer
  • Actelion Pharmaceuticals
• Discount Drug Pricing
  • Walgreens, Kmart

Nursing Homes- OIG Report Work

• Patient Harm in Nursing Homes
  - Adverse Events in SNFs
  - Abuse and Neglect
  - Misuse of antipsychotics
• State Agency Oversight
  - Verifying deficiency corrections
  - Conducting complaint surveys
• Emergency Preparedness
Nursing Homes- Enforcement Actions

• Kickbacks
  - Examples: Conway Lakes and Dr. Kenneth Krumins, Reliant Rehabilitation

• Billing fraud
  - Examples: Signature Healthcare, LLC, Southern SNF Management, Inc., New Oaklawn Investments, LLC d/b/a Oaklawn Health and Rehabilitation Center

• Grossly Substandard Care
  - Examples: Memphis Operator, LLC, d/b/a Spring Gate Rehabilitation and Healthcare Center, Hyperion Foundation, Genesis Healthcare, Inc.

Innovation Models

• Types of models (e.g. Accountable Care Organizations, Episode-based Payment Initiatives, Primary Care Transformation)

• Fraud and Abuse waivers, but limited in scope and application

• Opportunities to enter into new types of physician-hospital relationships
Coming Down the Pike....

• Regulatory Sprint to Coordinated Care
• Regulations and/or other guidance in response to the CMS and OIG RFIs
• OIG Proposed Rule related to Rebates
• Continued Focus on Quality of Care