# **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



2/11/2019

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### **OIG Statistics FY 2018**

Criminal Actions 764

Civil Actions 813

Exclusions 2,712

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### **DOJ Statistics FY 2018**

Healthcare Fraud Recoveries: \$2.5 Billion

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

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### **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**

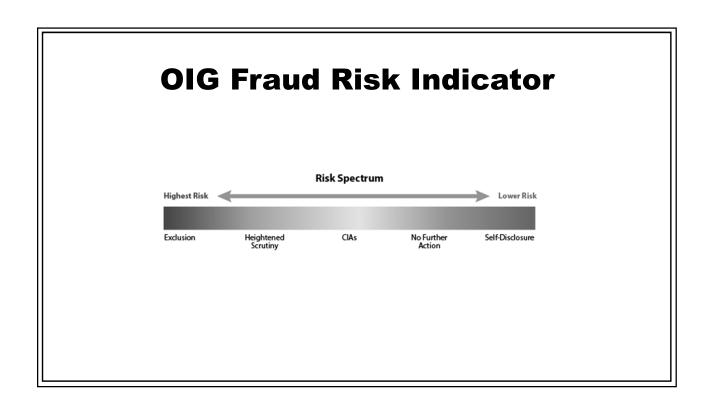


- Identifying Improper Payments and Opportunities for Savings in HHS Programs
- · Fighting Fraud in HHS Programs
- Preventing and Treating Opioid Misuse
- Protecting the Health and Safety of Children in HHS Programs
- Ensuring Quality and Integrity in Medicare's Hospice Program
- Improving Financial 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

## CHALLENGE OIG's Current Priorities ACCEPTED 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



### **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

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### **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



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### **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 Invetments, 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



