

ACHE CHAPTER PANEL DISCUSSION TEMPLATE #52

For ACHE Face-to-Face Education Credits

New Governmental Focuses on Fraud and Abuse Enforcement

Length: 1.5 hours

Target Audience: Mid-Careerists to Senior Executives; C-Suite Executives; Clinical Leaders

Description: In recent years, the U. S. Government has increased its focus on reducing fraud, waste and abuse in the health care system. New legislation and programs have enhanced the government's health care fraud enforcement abilities as well as increased the responsibilities hospitals have to be compliant with the myriad of health care laws, regulations and rules. As a result, hospitals can expect an increase in recoupment of overpayments, audits, and fraud and abuse investigations and litigations. The panelists will discuss the new healthcare fraud and abuse landscape and present strategies to help hospitals be compliant and vigilant in the ever-change healthcare arena.

Faculty: Moderator plus two to three panelists.
We recommend that the moderator have direct experience working in the healthcare sector; expertise in a range of settings will be useful. Because this topic covers both clinical and administrative arenas, the moderator could be a physician, senior leader, and/or a faculty member at an educational institution.

The panelists will most likely consist of legal advisors (outside attorneys/hospital legal team members) who have experience and understanding in dealing with fraud and abuse legislation and enforcement. Additionally, a panel member could also be a senior-level executive involved with an organization that has had direct involvement with interpreting and implementing these types of rules and regulations (i.e. a Chief Compliance Officer).

Topics for Discussion:

- New fraud and abuse provisions in the 2010 Healthcare Reform Law.
- Expansion of Recovery Audit Contractors Activities.
- Changes to HIPAA (HITECH and recently announced changes).
- 2009 False Claims Act Amendments.
- How to ensure your facility is in compliance with mandatory legislation
- Ways to educate and engage physicians/staff

Questions for Discussion:

1. How can you know if your facility is acting in compliance with fraud and abuse regulation?
2. How can you best enforce the legislation effectively and efficiently?
3. What are some common problem areas?
4. What are some best practices for educating employees in this area?
5. What kinds of regulatory changes can we expect to see in the future?

Additional Resources:

Blesch, Gregg. 2010. "Targeting Fraud; Feds escalate efforts to safeguard system from waste, abuse." *Modern Healthcare*. June 21, 2010.

Burda, David. 2010. "Attorney tells audience to brace for a storm of whistle-blower lawsuits." *Modern Healthcare*. June 23, 2010.

"Healthcare fraud and abuse remains a costly challenge." *Managed Healthcare Executive*. October 1, 2004.