

Insights

CMS and OIG Online Sources Provide Important Updates Regarding Corporate Compliance

September 16, 2019

By: Susan E. Ziel and Andrew W. Breck

Health care, and its many statutory, regulatory and industry “yardsticks” are ever-changing and require regular attention. In order to stay close to the action, particularly with respect to matters concerning corporate compliance, there are at least three online sources to consider. The first is Health and Human Services’ (“HHS”) Centers for Medicare & Medicaid Services (“CMS”) Newsroom.[1] The second is the HHS’ Office of Inspector General (“OIG”) Newsroom,[2] and the third is the OIG Work Plan Updates.[3]

The **CMS Newsroom** provides a wealth of information for providers and suppliers who participate in the Medicare and Medicaid programs. For example, last month CMS published the proposed rule to update payment policies, payment rates, and quality provisions for all services that will be furnished and reimbursed under the Medicare Physician Fee Schedule (“PFS”) beginning January 1, 2020.[4] On September 5th, CMS also published the final rule on Program Integrity Enhancements to the Provider Enrollment Process (CMS-6058-FC) which creates several new initiatives to proactively advance CMS efforts to screen, identify, and revoke participation in the Medicare, Medicaid, and CHIP programs at the time of or soon after enrollment.[5] Following these CMS updates online is easily done and can assist in keeping current on important developments.

The **OIG Newsroom** also provides daily updates on the latest reports, advisory opinions, enforcement actions, and other OIG news all in one online source. Additionally, the OIG publishes its latest announcements, press releases, and testimony from OIG officials on breaking developments. The OIG Newsroom also provides access to informative podcasts and videos that provide useful commentary on the latest reports, advisory opinions, and enforcement activities. The OIG recently announced its updates to the List of Excluded Individuals and Entities (“LEIE”) and published a listing of recent enforcement actions resulting in Corporate Integrity Agreements. These reports continue to demonstrate the OIG’s expectations regarding “effective” compliance program structure and function which represent important lessons learned for any health care provider or supplier participating in a Federal health care program.

It is recommended to frequently check the **OIG Work Plan** webpage entitled “Recently Added Items” which provides monthly updates on the agency’s 2019 Work Plan. Below is a listing of Recently Added Items for August 2019 each with links to the detailed reports, any of which may be of particular interest to you and your organization.[6]

[Medicare Payments of Positive Airway Pressure Devices for Obstructive Sleep Apnea Without Conducting a Prior Sleep Study](#)

States' Medicaid Agency Claims for Indian Health Service Expenditures

Review of the Medicare DRG Window Policy

Opioids in Medicaid: Review of Extreme Use and Overprescribing in the Appalachian Region

Medicare Market Shares for Diabetic Testing Strips from April to June 2019

Nursing Homes: CMS Oversight of State Survey Agencies

Nation-Wide Evaluation of the Prevention of Child Sex Trafficking in Foster Care

States' Prevention of Child Sex Trafficking in Foster Care

Use of Telehealth to Provide Behavioral Health Services in Medicaid Managed Care

Medicaid Assisted Living Services

Medicare Part B Services to Medicare Beneficiaries Residing in Nursing Homes During Non-Part A Stays

Review of Medicare Facet Joint Procedures

Overall, corporate compliance updates are important in keeping an organization's program reality-oriented and responsive to ongoing changes in Federal program requirements. Take time to "bookmark" these useful online sources and stay informed on the various CMS and OIG developments as part of your monthly schedule.

If you have any questions or require additional information regarding these and other resources that Integrity Health Strategies and Krieg DeVault can offer to you in the ongoing development of your compliance program efforts, please contact Susan E. Ziel or Andrew W. Breck for more information.

[1] <https://www.cms.gov/Newsroom>

[2] <https://oig.hhs.gov/newsroom/>

[3] <https://oig.hhs.gov/reports-and-publications/workplan/updates.asp>

[4] <https://www.cms.gov/newsroom/fact-sheets/proposed-policy-payment-and-quality-provisions-changes-medicare-physician-fee-schedule-calendar-year-2>

[5] <https://www.cms.gov/newsroom/press-releases/cms-announces-new-enforcement-authorities-reduce-criminal-behavior-medicare-medicare-and-chip>

[6] <https://oig.hhs.gov/reports-and-publications/workplan/updates.asp>