



MED-NET CONCEPTS LETTER ©

Where Compliance and Ethics, Risk Management/Safety, Quality Assurance and Performance Improvement, Reimbursement and Law Come Together.

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Dear Colleague,

Awareness is the first step toward an effective Compliance, Risk Management, Quality Assurance, Performance Improvement, and Law program. The following true reports are intended to broaden your understanding and awareness of potential exposures of liability throughout healthcare settings with the expectation that, as a starting point, forewarned is forearmed.

We believe a first-hand opinion of our sector of healthcare provides invaluable insight into the daily challenges facing our community.

Remember, it is important to immediately report any abuse of residents/patients, no matter the circumstances.

Please contact us for additional information as well as to discuss potential proactive programs to detect, prevent, and mitigate potential exposures and damages.

ALERTS



The new Medicare card uses 0 not O. The Medicare Beneficiary Identifier (MBI) uses numbers 0–9 and all uppercase letters except for S, L, O, I, B, and Z to avoid confusion when differentiating some letters and numbers. More helpful information, such as what to do if an MBI changes, is provided **here**.

Dealing Realistically with Workplace Relationships

Romantic relationships between employees can lead to disruption in the workplace when the relationships end, and can adversely affect employee morale and productivity. They may also lead to claims of favoritism or sexual harassment. Practical experience has shown that rules “outlawing” such relationships are often ignored, so it is important for companies to have policy guidelines in place to regulate such relationships. These regulations—which should be part of the employee handbook—must contain the company’s policy on sexual harassment, on the penalties for disruption at the workplace, and any other rules which might be applicable to the circumstance. These rules can include a requirement for employees to report their romantic involvement to the human resources department, provide affirmation that the relationship is consensual, and that they know and understand regulations relating to issues such as favoritism, violence in the workplace, and disruption to the work environment.

Human Resources Perspective:

Policies and procedures should cover employee dating with clear communication to ensure employee direction and understanding.

New York Hospital Delayed Investigating 33 Complaints against Doctor

A New York community hospital delayed investigating one of its doctors for months, according to federal regulators. The doctor was accused of sexually harassing employees and providing questionable medical care. The hospital put “patients at risk for harm” by not promptly and thoroughly investigating 33 complaints against the doctor, according to the inspection report. When the hospital finally determined the complaints were true, it failed to take corrective action. A Health Department inspection in August found the doctor harassed employees, used profanity, and misbehaved in front of patients for at least nine months before the hospital intervened.

Human Resources Perspective:

Each complaint should be investigated and, if substantiated, corrective action taken regardless of the position of either party.

Kansas Health Plan Alerts 1,625 Members of Impermissible PHI Disclosure

A health plan in Kansas alerted 1,625 plan members that some of their protected health information (PHI) had been disclosed to other individuals. On November 26, 2018, the health plan mailed ID cards and welcome packets to 1,625 plan members; however, the letters were accidentally sent to incorrect addresses. The letters contained patients’ full names and Medicaid ID numbers. After the error was detected on December 3, 2018, replacement ID cards and welcome packets were mailed to the correct addresses.

Data Privacy and Security Perspective:

When sending group communications, confirm the information is accurate and being sent to the correct parties.

Montana Nurse Sentenced for Taking Fentanyl for Personal Use

A Montana nurse, 33, who admitted to stealing fentanyl for his own use, was sentenced to a five-year term of probation with six months in home confinement. The investigation began when the clinic where the nurse worked notified the federal Drug Enforcement Administration (DEA) that it had lost 200 mL of fentanyl from employee pilferage. When confronted with discrepancies, the nurse told law enforcement officers that he would divert fentanyl most times that he worked, removing the fentanyl from the vials and replacing it with saline. He said that if the case was his, he made sure the patients got a full vial along with whatever he had switched. The DEA took into evidence suspected tampered vials of fentanyl, syringes, and vials labeled as saline. The evidence included 22 packages of fentanyl suspected of having been tampered with. A DEA lab tested 15 of the packages and found that no fentanyl remained inside them.

QAPI Perspective:

Staff should receive drug diversion awareness training. Audits need to be in place to ensure shift-to-shift narcotics counts are recorded in the narcotic log and that MARS and TARS are checked routinely for proper medication administration.

Sprinkler Valve Was Turned off in Pennsylvania Nursing Home Fire That Killed Four

The main sprinkler valve was turned off before a 2017 five-alarm fire at a Pennsylvania nursing home that left four residents dead and injured two dozen other people, federal investigators said. The U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) released the final investigative report into the cause of the fire at Barclay Friends Senior Living Community stating the blaze likely started near a patio under an overhang at the multi-building facility. Investigators could not determine the exact origin or cause of the fire due to the extensive damage. Wind spread the fire up the vinyl siding and to the roof. ATF officials said they did not believe the fire was set intentionally.

Risk Management Perspective:

All safety systems in a facility should be periodically checked to ensure they're in good working condition.

Women Stole Personal Items from Multiple Nursing Homes in Two States

Authorities in Oklahoma and Kansas are looking for two women who stole personal items from multiple nursing homes. An employee at one of the homes said she had noticed two women roaming around the facility dressed in scrubs. She asked them what they needed and who they were visiting, but they couldn't answer. They then said they needed to use the restroom. They managed to steal an employee's wallet during the seven minutes they were in the building before they were escorted out.

Risk Management Perspective:

Employee ID and name tags should always be worn by all employees. Any person without ID should be stopped, questioned, and removed if not appropriate.

New Jersey Woman Defrauded State Health Benefits Programs

A New Jersey woman admitted defrauding state health benefits programs and other insurers by submitting fraudulent claims for medically unnecessary prescriptions. The woman, 36, pleaded guilty to information charging her with conspiracy to commit healthcare fraud. For thirteen months she served as a recruiter in the conspiracy and persuaded individuals in New Jersey to obtain very expensive and medically unnecessary compounded medications from an out-of-state pharmacy. Certain compound medication prescriptions — including pain, scar, antifungal, and libido creams, as well as vitamin combinations — were reimbursed for thousands of dollars for a one-month supply.

QAPI Perspective:

Communicate with staff, families, and residents to ensure care received is appropriate for the diagnosis. Periodically perform internal and external audits including checking the OIG and other exclusion lists.

Yours truly,



David S. Barmak, JD, CEO.

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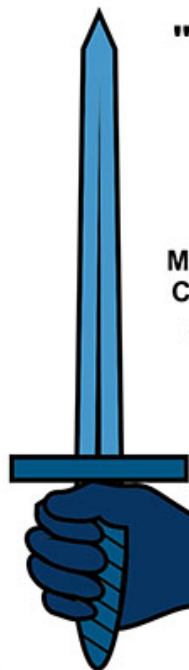
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"Med-Net Compliance's Fraud Avoidance Courses Are a Good First Line of Defense"

Jo Ann Halberstadter, Esq

ADMINISTRATORS TAKE NOTE



Med-Net Compliance, LLC now offers two series of fraud modules with NAB/NCERS CEs on our website. Modules 1-8 offer 3 NAB CEs and modules 9-16 offer 3.75 CEs. All modules provide education on fraud, waste, and abuse prevention and offer a combined total of 6.75 CEs for successful completion.

To review the NAB accredited courses visit our website:

<https://www.mednetcompliance.com/med-net-academy/nab-accredited-courses/>

All 16 courses on fraud, waste, and abuse were developed by Betty Frandsen, Vice President of Professional Development, and Marianna Gracheck, Healthcare Compliance Analyst.