

Part B Insider (Multispecialty) Coding Alert

Compliance: OIG Has Recovered Over \$3 Billion So Far in 2010

Audits and investigations brought in big money for the government over a six-month period, new report shows.

If you've ever wondered whether the OIG collects on its audits and investigations, a new report answers that question, to the tune of \$3.1 billion.

In its latest Semiannual Report to Congress, which covers OIG activity for the first half of financial year 2010 (Sept. 30, 2009 through March 31, 2010), the OIG recovered \$3.1 billion, \$667.3 million of which was brought in as a result of audits.

"As the Department's health and human service programs expand, so does OIG's mission to protect these vital programs from fraud, waste, and abuse," said Inspector General **Daniel R. Levinson** in a June 14 news release. "We have aggressively pursued new avenues of enforcement and are actively developing our operational strategy to successfully meet our growing oversight responsibilities."

The following recoveries were among the OIG's reported triumphs over the six-month period, according to the report:

- **Neurology:** A North Carolina neurology practice agreed to pay \$181,851 to resolve its disclosure that it improperly submitted claims for physicians' services that were actually provided by non-physicians. In addition, the practice disclosed that it engaged in upcoding and that it billed services as if they were performed by one doctor when a different practitioner actually performed them.
- **E/M services:** A Maryland podiatrist agreed to reimburse Medicare and Medicaid \$100,629 to resolve his liability for billing for E/M services even though he didn't render a significant, separately identifiable E/M service on the same day as a procedure.
- **Surgery:** A Colorado company agreed to pay \$242,528 to settle claims that it billed for reviewing neurological test data before surgery and providing real-time intraoperative neuromonitoring services.

"However, the test results were not reviewed by a physician before surgery, and no physician provided real-time monitoring services during surgery," the OIG report states. "Instead, a physician conducted a 'posthoc' review of the data in the days or weeks after the surgeries."

Based on all of the information outlined in the report, practices should be ready for additional OIG scrutiny going forward, experts say. "In situations where the government may have discovered crimes that they previously didn't know were taking place, the OIG will try to delve into those issues to determine how widespread they might be," says **Allison Larro, Esq.**, an Atlanta-based attorney.

To read the complete semiannual report, visit the OIG's Web site at www.oig.hhs.gov/publications/docs/semiannual/2010/semiannual_spring2010.pdf.