

Eli's Rehab Report

Home Health: Watch Out: Home Health Therapy Makes OIG's Hit List

Use these 2 tips to avoid hot spot pitfalls.

Your therapy visits could land you in hot water with the OIG as the watchdog agency increases scrutiny in this area.

The HHS Office of Inspector General (OIG) lists "Part B Therapy Payments to Home Health Agencies" as one of the five home health agency topics it plans to investigate in 2009, according to the new Work Plan for the year. "We will determine whether payments made to HHAs are correct and supported for the service level claimed," the Work Plan says.

"The fact that newly established therapy thresholds were applied to home health agencies in 2008 should not make it too much of a stretch to see that therapy services in general would be scrutinized," observes attorney **Marie Berliner** with Lambeth & Berliner in Austin, Texas.

The OIG may be concerned that therapy visits provided under arrangement are excessive, predicts **Lucien Bernard** with Pearson & Bernard in Covington, Ky. The contracted therapist has an incentive to increase visits because he is usually paid per visit, and the HHA has an incentive to increase visits because under the prospective payment system (PPS) revisions, many visit increases warrant a reimbursement increase.

Tip #1: "If your average number of therapy visits per episode has changed, you'd better be able to defend and justify the variance, especially now that the therapy thresholds have changed," Bernard counsels.

Tip #2: "Review this information with the provider of their under-arrangement therapy services," Bernard suggests. "Remind them that it's in both of [your] best interests to provide appropriate and medically necessary therapy services." If not, both the agency and the therapist are at risk.

The OIG also will look at Part B therapy services mistakenly paid for while a patient is under a home health plan of care.

Note: The Work Plan is online at <http://oig.hhs.gov/publications/docs/workplan/2009/WorkPlanFY2009.pdf>. Also, check out the news story on page 103 for a list of other rehab industry OIG targets.