

## Eli's Hospice Insider

### Kickbacks: Sidestep These Landmines When Furnishing Bridge Services

Follow these 5 steps to compliance.

If you want to protect your free services program by following the hospice's example in the OIG's latest advisory opinion, there are some important rules you should follow.

**1. Delineate services.** A big reason the **HHS Office of Inspector General** approved the hospice's request for a free bridge program (see story above) is because it offered low-monetary-value services provided by volunteers, hospice legal experts point out. Don't just assume you can water down your regular hospice services.

The "OIG has stressed that the program must be for volunteered services ... of a non-skilled, non-homecare or hospice-like content," counsels attorney **Deborah Randall** with **Deborah Randall Consulting** in Washington, D.C. The programs the OIG has approved are "fundamentally a friendly visitor/companion type service with some shopping and transportation," she tells **Eli**.

**Bottom line:** Do not include any professional or paraprofessional services, Randall advises.

**2. Eschew social work.** You must sidestep the common landmine of excluding nursing services while including social worker services. "This means no case worker/social worker assessments or support visits/calls," Randall says.

**3. Avoid aides.** Don't include hands-on personal care either, Randall warns.

**4. Monitor.** "Compliance officers should monitor closely the implementation of this kind of program," Randall offers. That's especially true "when a marketing angle either inspires it or creeps in."

**5. Ask the OIG.** "Whenever free services are offered, it is wise to submit the arrangement to the OIG for approval before implementing it," says attorney **John Gilliland II** with **The Gilliland Law Firm** in Indianapolis.