

## MDS Alert

### Compliance :Stay a Step Ahead of the RACs With 2 Strategies

How to keep claims out of RACs' hands.

Giving your claims a clean bill of health may be the best medicine for keeping the RACs off your case.

Since RACs can request records going back three years, "the sooner a provider identifies its issues and corrects them moving forward, the better," says **Steve Lokensgard**, special counsel at Faegre & Benson LLP in Minneapolis.

Correction your best policy: Whenever a nursing facility discovers that it has made a billing mistake, it should seek to correct the problem and make repayment, advises attorney **Paula Sanders**, partner with Post & Schell in Harrisburg, Pa. And if the facility thinks it has a systemic issue with billing, it should consult with counsel and decide whether a voluntary disclosure is the best way to proceed, Sanders says.

"If a provider does a self-audit, and identifies and self-reports the improper payments, those claims will be adjusted and excluded from RAC review," says Sanders. This exclusion also applies to findings included in a self-disclosure, "as long as the Medicare Administrative Contractor confirms that a payment error exists and the sampling/extrapolation method was correct," she adds.