

# Health Information Compliance Alert

## Prepare for More Compliance Scrutiny

**Tip: Collate your COVID-19-related service notes.**

Whether you're ready or not, Medicare fee-for-service (FFS) claims reviews are back in swing.

**Context:** Despite the nation still being in the throes of a public health emergency (PHE), the feds started most of their pre- and post-payment claims review programs back up on August 3, including the following:

- Targeted Probe and Educate
- Recovery Audit Contractors
- Supplemental Medical Review Contractors

**Know this:** Though a **Centers for Medicare & Medicaid Services** (CMS) frequently asked questions (FAQ) points out that COVID-19 hardships will be taken into account, providers should expect things to be back to business as usual. Auditors will follow billing and coding guidelines while adhering to regulations, the FAQ suggests. "Comment[s] make it clear that services rendered and claims submitted during the COVID-19 public health emergency are fair game for these Medicare contractors," warns attorney **Shannon K. DeBra** with **Bricker & Eckler LLP** in online analysis.

Providers "that were in the midst of an audit or other medical review process should be ready to reengage in those processes and be prepared for new audit activity," counsel attorneys **Meg Pekarske, Bryan Nowicki, and Emily Park** with **Husch Blackwell**.



**Tip:** Specifically, "if you were in the middle of a Targeted Probe and Educate audit, receiving ADRs [additional documentation requests] for one or more services, received a Comparative Billing Report for a service or item provided (or any other audit activity) prior to this pause," you should be on notice, says Delray Beach, Florida-based **Acevedo Consulting** in a message to clients.

If you were already in a review process and haven't already done so, "now would be a good time to stop and ... figure out what you might be able to do better to be in compliance with program rules," Acevedo recommends.

If you "are lucky enough to think 'Nope, none of that applies to me,' review the current OIG Work Plan and your area's last CERT report to see if any targeted areas might impact you," Acevedo advises. "Regardless, now would be a good time to refocus your organization's compliance efforts."

**Bottom line:** Many of the recent releases from the feds have repeatedly mentioned the importance of clear and concise documentation to back up any billing or coding, compliance, fiscal, or IT changes - and challenges - your organization may have experienced during the PHE. Now is a good time to start compiling that information while continuing to jot down the pandemic's impact on your practice and how you are adapting your compliance.

**Resource:** See the FAQ at: [www.cms.gov/files/document/provider-burden-relief-faqs.pdf](http://www.cms.gov/files/document/provider-burden-relief-faqs.pdf).