

# Genetic Testing Fraud Alert

# Agenda

- ▶ Reporting Labs
- ▶ Office of Inspector General (OIG) Fraud Alert
- ▶ ACL Awareness Alert

# Clinical Laboratories Improvement Act (CLIA)

- ▶ Requires all entities to meet certain Federal requirements if perform even one test on “materials derived from the human body” for the purpose of:
  - ▶ Prevention
  - ▶ Treatment of any disease or impairment
  - ▶ Assessment of the health
  - ▶ Screening reported bac to provider or patient
- ▶ If an entity performs tests for these purposes, it is considered under CLIA to be a laboratory and must register with the CLIA program.

# Complaints about a Lab

- ▶ Complaints about a lab should be reported to a State Agency where the testing laboratory is located.
- ▶ The State Agency contacts page
  - ▶ <https://www.cms.gov/regulations-and-guidance/legislation/clia/index.html>

# Fraud Alert: Genetic Testing Scam

The U.S Department of Health and Human Services Office of Inspector General is alerting the public about a fraud scheme involving genetic testing.

- ▶ Offering Medicare beneficiaries cheek swabs for genetic testing to obtain Medicare information for **identity theft or fraudulent billing purposes.**
- ▶ Beneficiaries are being targeted through
  - ▶ Telemarketing calls
  - ▶ Booths at public events, health fairs
  - ▶ Door-to-door visits

# Fraud Alert: Genetic Testing Scam

- ▶ If a beneficiary agrees to genetic testing or verifies personal or Medicare information, a testing kit is sent even if it is not ordered by a physician or medically necessary.

# How to Protect Yourself

- ▶ If a genetic testing kit is mailed to you, **don't accept it unless it was ordered by your physician**. Refuse the delivery or return it to the sender. Keep a record of the sender's name and date returned
- ▶ **Be suspicious** of anyone who offers you free genetic testing and then requests your Medicare number. If your personal information is compromised, it may be used in other fraud schemes.
- ▶ A physician that you know and trust should approve any testing.
- ▶ Medicare beneficiaries should be **cautious of unsolicited requests for their Medicare numbers**. If anyone other than your physician's office requests your Medicare information, do not provide it.
- ▶ If you suspect Medicare fraud, [contact the HHS OIG Hotline](#).
  - ▶ 1-800-HHS-TIPS (1-800-447-8477)

# Genetic Testing Awareness

- ▶ SHIP and SMP Networks are advised to...
  - ▶ Decline the request of representatives from genetic testing companies or possibly insurance agents working on behalf of these companies in the participation of a beneficiary events because of the potential for fraud.
  - ▶ CMS has received inquiries from beneficiaries stating that they have been billed for genetic testing or cancer screenings performed at community events and senior centers.

# SHIPs and SMPs - Help Spread the Following Messages to Beneficiaries

- ▶ **Do not give out your Medicare number or Social Security number.**
  - ▶ Be cautious of unsolicited requests for your Medicare or Social Security numbers.
  - ▶ If your personal information is compromised, it may be used in other fraud schemes.
- ▶ **Do not consent to any lab tests at senior centers, health fairs, or in your home.**
  - ▶ Be suspicious of anyone claiming that genetic tests and cancer screenings are at no cost to you.

# Help Spread the Following Messages

- ▶ **Genetic tests and cancer screenings must be medically necessary and ordered by your doctor to be covered by Medicare.**
  - ▶ Random genetic testing and cancer screenings aren't covered by Medicare.
  - ▶ If you are interested in the test, speak with your doctor.

# Help Spread the Following Messages

- ▶ Monitor your Medicare Summary Notice to see if there are any services you didn't have or didn't want but were billed for.
  - ▶ Medicare Summary Notices are sent every three months if you get any services or medical supplies during that 3-month period.
- ▶ Call 1-800-MEDICARE or 1-800-HHS-TIPS if you think you're a victim of fraud.

# Most Effective Way to Address Fraudulent Claims

- ▶ Calling 1-800-MEDICARE is probably the most efficient way to address any claims that may have been submitted.
- ▶ CMS staff will work directly with the MACs so that they can determine whether the claim(s) should be reversed and an overpayment should be requested from the provider.