

### Karen's Corner



One of the favorite parts of my job as Cabinet Secretary is celebrating our great work. Thanks to the Medicaid Fraud Control Unit (MFCU) of our Office of Inspector General and the Bureau for Medical Services Office of Program Integrity, I have a doozy this month!

A complex health care fraud investigation conducted by our MFCU resulted in a \$4.675 million settlement with a company submitting false bills to West Virginia Medicaid and federal Medicare Programs. Working jointly with the U.S. Department of Health and Human Services Office of Inspector General, this is the largest local case the MFCU has ever investigated, and the settlement is the largest-ever recovery in a health care fraud case by the United States Attorneys' Office in West Virginia.

Please take the time to read the details in the accompanying newsletter article regarding the specifics of this extraordinary investigation. I am truly proud of this accomplishment, and give thanks to Trina, Jennifer, Bennie, Daniel, April, Rita, Monica, Gerry, Jared and Tammy for great work with a huge pay off!

This is the example that you are capable of setting as part of the work you do every day for the citizens of West Virginia. Whether the task is large or small, we all do things that make a difference to the people we serve. Please let us know when you have something to share so that we can all be a part of your celebration!

Karen L. Bowling, Cabinet Secretary

## Medicaid Fraud Control Unit Nets \$4.675 Million Settlement

An investigation conducted by the DHHR Office of Inspector General's Medicaid Fraud Control Unit (MFCU) resulted in a \$4.675 million settlement with Massachusetts-based Calloway Laboratories, Inc. (Calloway Labs) related to false billings that were submitted to West Virginia Medicaid and nationwide to Medicare. This is the largest local case the MFCU has ever investigated, and the settlement represents the largest-ever recovery in a health care fraud case by a United States Attorney's Office in West Virginia.

Calloway Labs provides clinical laboratory services, including urine drug testing, for Medicare and West Virginia Medicaid. MFCU discovered that from March 2009 through April 2013, Calloway Labs routinely billed Medicare and West Virginia Medicaid using a code designated for pathology services in addition to the code for urine drug testing.

The investigation established that treating health care providers did not deem pathology services necessary and did not knowingly order such services. The investigation further established that Calloway Labs did not provide pathology services as billed. Rather, Calloway Labs performed a type of medical review with every urine drug screen. Medical review is not covered by Medicare or West Virginia Medicaid. Both entities paid claims for the medical review because Calloway submitted them under the code for covered pathology services.

Health care fraud investigations involve voluminous technical and complex laws, regulations and procedures requiring specialized knowledge and skill for analysis and compilation. MFCU investigators conduct interviews and interrogations, serve subpoenas, write and execute search warrants, collect evidence, navigate numerous databases, help coordinate and organize joint investigations, work with medical, billing, and statistical experts, compose reports of investigation, work closely with federal and county prosecutors, and testify in court. Investigators must be able to compile, analyze, and synthesize complex financial data, billing records, medical records, program regulations, state and federal law, and industry- and facility-specific documentation.

"Kudos to MFCU Nurse Investigator Jennifer Moss for an outstanding job taking the lead on this investigation," said Trina Crowder, director of MFCU. "The BMS Office of Program Integrity referred the case to us, and Jennifer took responsibility for all investigative activity, including drafting the Report of Investigation we delivered to the U.S. Attorney's Office. This case is significant because it represents the largest settlement in which MFCU was the initial primary investigating agency. The successful resolution of this case will strengthen the working relationship between MFCU and the U.S. Attorney's Office."

Several other members of the MFCU team assisted to varying degrees: Bennie Cogar, Daniel Poe, April Caprita, Gerry Walsh, Rita Richard, Monica Robinson, and Jared Nutter.

"This case not only represents a collaborative effort within the MFCU team, but also highlights the excellent working relationship that MFCU has with the BMS Office of Program Integrity (OPI)," explained Crowder. "Director Tammy Hypes and her OPI team identified the issue via data mining, developed the referral in accordance with the MFCU-OPI collaborative agreement, and presented their findings to MFCU. The assistance of the OPI team was, and continues to be, invaluable."

MFCU also worked aggressively and collaboratively with the U.S. Department of Health and Human Services, Office of the Inspector General (HHS-OIG) to bring this matter to a successful resolution. This settlement ensures that the federal tax dollars that fund Medicare and Medicaid are restored in full to the programs and the people they were intended to serve.



## Equal Access Regardless of Physical Limitations



Equal access to programs and activities regardless of physical limitations isn't just the right thing to do, it's often a matter of federal law. In an increasingly technologically-based society and workforce, equal access extends to services delivered online.

In 1998, Congress amended the Rehabilitation Act of 1973 to include equal access to programs and services for online activities and communications. This requirement, known as Section 508, applies to federal agencies as well as state agencies receiving federal funding.

The DHHR Distance Learning unit has worked hard to ensure that DHHR's online training efforts meet basic accessibility standards. The unit, which was formed in 2003, has emphasized accessibility and incorporated equal access into the official standards and protocol for course development. The unit sets high standards for its talented team, and has developed 100% of its online training courses in-house.

"DHHR Distance Learning sets the standard for online learning," said Kent Nowviskie, DHHR's Manager for Technical Development & Distance Learning. "We were the first online learning program in WV State Government and we are the only state agency that has received federal recognition for the innovative nature of our work. Now we can also say we're the only ones with a plan to work toward 100% compliance with accessibility standards."

Making sure online courses are accessible is not difficult, says

Kent, but it requires taking some steps to ensure equal access to those with a variety of physical limitations. It also means making sure to use the right tools.



"Online learning is a highly technical field. If you don't know what you're doing, you could end up selecting the wrong tools for the job only to find out later that you don't comply with federal law," Kent said. "DHHR is fortunate that we have access to Blackboard Learn, which is the only Learning Management System (LMS) in the world to receive independent verification of conforming to web accessibility standards. It was also the first to achieve Gold-Level Certification from the National Federation for the Blind. We definitely have the right tool for the job."

It also helps that the courses delivered through DHHR Distance Learning are all developed in-house. Off-the-shelf packages purchased from outside vendors have to be vetted very carefully, as they are likely to have accessibility issues. By developing its own courses, DHHR can be certain to take the necessary steps to make sure they are accessible to all users.

"This issue is very important for DHHR," Kent pointed out. "First of all, DHHR Distance Learning is committed to ensuring that our online training programs comply with all applicable laws and regulations. That's a pressing issue, because it can impact our continued access to federal funds for the programs that serve our clients — major programs like SNAP and WIC. But it's just as important to us to know that we are doing everything we can to make sure that the training we provide is accessible to anyone who needs it. We just want to make sure we're doing the right thing."

## Region IV Gains Two New Community Services Managers

Nancy Exline, Commissioner for the Bureau for Children and Families, named William "Elden" Belcher and Michelle Crews-Massaroni as community services managers (CSMs) for Region IV. Elden is CSM for Greenbrier, Monroe, Pocahontas and Summers counties, and Michelle is CSM for Mercer County. The new CSMs assumed their new duties in March and April, respectively.

Elden is a Wyoming County native and graduated from West Virginia University in 2003 with a Bachelor of Science in Business Administration. He began working for the Department in 2004 as an Economic Service Worker in Raleigh County and was promoted to Economic Services Supervisor in 2007. Elden served as Interim Community Services Manager for Wyoming and McDowell counties prior to his appointment as CSM.

Elden and his wife Samantha have two sons, Alex and Zach. He is an avid outdoorsman and a diehard WVU fan.

Michelle has been a licensed social worker in West Virginia for 17 years. She is a Mercer County native, a graduate of Athens High School, and holds a Bachelor of Social Work from Concord College (now Concord University) in Athens. The field placement she had with the Department in 1995 ignited her passion for a career serving the children and families of West

Virginia. Michelle explained, "I am so very proud of the role that our agency plays in our community and I feel honored to be a part of such a hardworking, dedicated group of individuals."

Prior to being named Mercer's CSM, Michelle served as a Child Protective Service Worker, a Child Protective Service Supervisor, Interim Community Services Manager of McDowell County and a Region IV Child Welfare Consultant.

Michelle lives in the Princeton area with her husband, Mike. She enjoys spending time with family, including "my wonderful step-son and granddaughter, Nolan and Mackenzie Grace." Michelle said, "I feel blessed to have a close circle of family and friends that have always been a strong source of support and encouragement."



CSMs Elden Belcher and Michelle Crews-Massaroni.

