Section 7.1  Fraud and Program Abuse Reporting

7.1.1  Introduction
The reporting of suspected fraud and program abuse is a requirement of the Arizona Department of Health Services, Division of Behavioral Health Services (ADHS/DBHS) Corporate Compliance Program. Under those requirements, T/RBHAs and their subcontracted providers are required to immediately notify the Arizona Health Care Cost Containment System (AHCCCS), Office of the Inspector General (OIG) and ADHS/DBHS Bureau of Corporate Compliance (BCC) regarding any suspected fraud or program abuse involving AHCCCS, federal or state funds. ADHS/DBHS/BCC works closely with AHCCCS/OIG to address all the referrals reported by providers in order to improve the system and promote accountability. This section does not include reporting of physical and sexual abuse regarding persons who have been determined to have a Serious Mental Illness (SMI). Section 7.4, Reporting of Incidents, Accidents and Deaths, contains information for reporting abuse of persons determined to have a SMI.

Providers must be cognizant of the potential for fraud and program abuse within the public health system. Fraud and program abuse can result in the misuse of federal and state funds, can jeopardize the care and treatment of persons receiving covered services and can result in monetary fines, criminal prosecution, the termination of providers and prohibition from participation in Medicare/Medicaid/State-funded Programs. This section outlines the procedures for providers to report suspected incidents of fraud and/or program abuse.

In the context of this section of the Provider Manual, persons receiving care in the health system can also commit acts of program abuse (e.g., by loaning or selling their AHCCCS identification card).

7.1.2  Terms
The following terms are referenced in this section:

Program Abuse

Fraud

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NARBHA Revised Date: 07/15/2014
Waste

7.1.3 Procedures
All T/RBHAs are responsible for ensuring that mechanisms are in place for the prevention, detection and reporting of fraud and/or program abuse. All employees of providers must be familiar with the types of fraud and/or program abuse that could occur during their normal daily activities. ADHS/DBHS and each T/RBHA have designated a Compliance Officer and Compliance Committee responsible for the development and implementation of the Corporate Compliance Program which addresses fraud and program abuse prevention and detection. Any person(s) found to be guilty for knowingly obtaining any benefit by means of false or fraudulent pretenses, representations, promises or material omissions could be charged with a Class 2 Felony.

7.1.3.-A Reporting of fraud and program abuse involving Title XIX/XXI funds or AHCCCS registered providers and recipients
Upon becoming aware of a suspected incident of fraud and/or program abuse, including a suspected incident committed by the T/RBHA, a T/RBHA or provider has 10 working days to inform the AHCCCS/OIG of the suspected fraud or program abuse in writing to the address below or by submitting an online form accessible at the link below.

AHCCCS Office of Inspector General
701 E. Jefferson Street, Mail Drop 4500
Phoenix, Arizona 85034
http://www.azahcccs.gov/fraud/reporting/reporting.aspx
Email: AHCCCSFraud@azahcccs.gov
Phone: (602) 417-4193 or (602) 417-4045
Fax: (602) 417-4102

In addition, T/RBHAs or providers should advise ADHS/DBHS/BCC of the report to AHCCCS by calling or writing to the contact information below:

ADHS/DBHS
Bureau of Corporate Compliance150 N. 18th Ave, Ste. 270
Phoenix, Arizona 85007
(602) 364-3758 or 1-866-569-4927
Fax number: (602) 542-3940
Email: reportfraud@azdhs.gov

7.1.3-B Reporting of fraud and program abuse involving Non-Title XIX/XXI funds and/or grants
Upon becoming aware of a suspected incident of fraud or program abuse, including a suspected incident committed by the T/RBHA, a T/RBHA or provider has ten (10) working days to inform ADHS/DBHS/BCC by completing the Suspected Fraud and Program Abuse Report Form and
faxing, mailing or emailing it to ADHS/DBHS at the address listed above. Reports of fraud or program abuse may also be taken over the phone at (602) 364-3758 or 1-866-569-4927.

7.1.3-C Reporting of fraud and program abuse to the T/RBHA
In addition to notifying ADHS or AHCCCS, health providers may need to notify their contracted T/RBHA of all suspected incidents of fraud or program abuse. NARBHA RAs are required to send the NARBHA Corporate Compliance Officer a copy of any report of suspected fraud or abuse that is sent to AHCCCS or ADHS/DBHS on the same date that the report is sent to AHCCCS or ADHS/DBHS.

7.1.4 References
The following citations serve as additional resources for this content area:

18 USC, § 669
18 USC § 1001
18 USC § 1031
18 USC § 1035
18 USC § 1345 - 1347
31 USC § 3729 – 3733
31 USC § 3802
42 USC § 1396a
42 CFR 438.608
42 CFR 455.2
42 CFR 455.17
42 CFR 1001.1901
A.R.S. § 13-2310
A.R.S. § 13-2311
A.R.S. § 36-2918
A.R.S. § 38-532
AHCCCS/ADHS Contract
ADHS/RBHA Contracts
ADHS/TRBHA IGAs
AHCCCS Contractor Operations Manual, Chapter 100, Section III. A
ADHS/DBHS Corporate Compliance Manual
Section 7.4, Reporting of Incidents, Accidents and Deaths