

## OMIG Issues Compliance Alert for Medicaid Providers

New York State law requires certain healthcare providers to have “reasonably effective” compliance programs in order to participate in the New York State medical assistance (Medicaid) program. The New York State Legislature determined that requiring Medicaid providers to have such compliance programs is the most effective way to control fraud, waste and abuse in the Medicaid program. The New York State Office of the Medicaid Inspector General’s (OMIG’s) Bureau of Compliance conducts effectiveness reviews of Medicaid providers to assess if they have “reasonably effective” compliance programs in place.

In an effort to enhance transparency and the effectiveness of compliance programs, the Bureau of Compliance recently published a checklist to help identify for Medicaid providers the type of documentation that OMIG may request at the time of an effectiveness review.

When the Bureau of Compliance conducts effectiveness reviews of a provider’s compliance program, the provider will be asked to provide OMIG with documentation that evidences the existence of an effective compliance program. The checklist recently disseminated by OMIG reflects the types and kind of information that the Bureau will seek to review. The checklist is an example only since effectiveness reviews conducted by the Bureau will consider the uniqueness of providers, even within the same provider type.

All Medicaid providers should review the new checklist so that if they are targeted for an effectiveness review, they are in a position to produce the type of information and documentation specified therein.

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For more information about compliance programs, please contact any of the attorneys at our firm.