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## Recent Focus of the OMIG: Increased Compliance Program Scrutiny of Medicaid Providers

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The Office of the Medicaid Inspector General’s Bureau of Compliance (“OMIG”) has been conducting On-Site and/or Desk Reviews of Medicaid provider compliance programs and in recent months has been increasingly scrutinizing Medicaid provider compliance programs. The newly published OMIG Work Plan for 2016-2017 reiterates OMIG’s commitment to conducting compliance program reviews, specifically referencing providers who do not meet annual certification requirements and those who have repeat issues with OMIG or other regulating agency requirements. In recent months OMIG scrutiny includes, but is not limited to, governing body involvement in the compliance program, appropriate corrective actions for identified risk areas (including identifying the root cause of compliance issues reported or identified through auditing and monitoring), in-house compliance training of independent contractor physicians, correct federal and state law and regulation citation, documentation of compliance self-assessments and audits and resulting plan of corrections.

OMIG has recently amended its documentation request for New York’s Medicaid providers undergoing an On-Site Compliance Program Review to include “copies of any initial, final or pending federal or state regulatory reports, audits or reviews issued or pending for the past two years of the Provider or any

affiliated entities referred to in [the Provider's IRS Form 990]." Moreover, OMIG now requests a copy of the Medicaid provider's Annual Compliance Work Plan.

At Abrams Fensterman, our attorneys have extensive experience assisting providers in the development and implementation of compliance programs designed to prevent, detect and correct fraud, waste and abuse. Our compliance programs are tailored to each provider, from small physician practices to nursing homes and assisted living programs, and when properly implemented have been approved by OMIG. Additionally, Abrams Fensterman has extensive experience in assisting Medicaid providers in responding to OMIG Compliance On-Site and Desk Reviews and assisting with plans of correction and resolution of identified compliance insufficiencies.

**For more information about Medicaid provider compliance programs, please contact Patrick Formato, Esq. or any Abrams Fensterman health care attorney at (516) 328-2300.**

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