

# ECI Ethics

## Waste, Fraud and Abuse

What is waste, fraud and abuse?

What is the Office of the Inspector General (OIG)?

Why do I need to know this information?

Scenarios

Waste, Fraud and Abuse

### What is waste, fraud and abuse?

#### **Waste**

- Careless Practices
- Inefficient use of resources, items or services

#### **Fraud**

- Any act that constitutes fraud under applicable federal or state law
- Intentional deception or misrepresentation



The Texas Health and Human Services Commission's Office of the Inspector General (OIG)

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## The Appearance of Fraud

- Poor or incomplete documentation
  - Documentation doesn't show a service was provided
  - Documentation doesn't justify the amount of time spent
  - Documentation doesn't reflect provision of ECI service (i.e. no family involvement)
- Coding a service as one thing – the documentation reflects a different type of service



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## What is waste, fraud and abuse?

### Waste

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- Inefficient use of resources, items or services

### Fraud

- Any act that constitutes fraud under applicable federal or state law
- Intentional deception or misrepresentation

### Abuse

- Practices that are inconsistent with
  - sound fiscal, business, or medical practices and that
  - result in unnecessary program cost



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## What are other reasons for complete and accurate documentation?

- Continuity of care within ECI
- Inform other service providers
- Parent's right to know
- Formal record of child's functioning and response to services
- Data collection and contract compliance
- Reimbursement

**DOCUMENT ALL  
THE THINGS!!!!**



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## How to Avoid Waste, Fraud and Abuse?

Complete & Accurate  
documentation

Resources:

[Quality Services webinars](#)

Specialized Skills Training  
Workbook – Documentation Chapter

\*Located on the Extranet – ask your  
supervisor for a copy



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## What is the Office of the Inspector General (OIG)?

The OIG works to:

- Prevent, Detect & Pursue Waste, Fraud and Abuse within the Texas Health & Human Services system

Since 2003 the OIG has:

- Recovered, identified for recovery or cost avoided over \$4.6 Billion in erroneous, fraudulent or wasteful payments.

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## How do I report waste, fraud or abuse?

✓ Fill out a form located on the OIG website:

<http://oig.hhsc.state.tx.us>

✓ Call a toll free number at:

**1-800-436-6184**

✓ You will be asked to provide as much information as possible

✓ Your information will remain confidential

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## Why do I need to know this information?

- 3 – 10% of healthcare spending is lost due to fraud\*
- Healthcare fraud is the second largest white-collar crime in the US
- Higher premiums for everyone
- Patients don't receive the services they are entitled to/being billed for.



\*The National Healthcare Anti-fraud Association (NHCAA). "Anti-Fraud Resource, Consumer Info & Action";

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## You are Part of the Solution!



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## How does this affect me?

### EISs – Code of Ethics

Standard (1) - EISs must comply with the policies and procedures of both the contractor and DARS ECI.

Standard (12) – EISs must not falsify documentation.

Standard (15) - EISs have a professional obligation to report unethical behavior demonstrated by colleagues throughout the ECI system to their program director and to the appropriate board or state agency.



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## Scenarios

Decision Making Rubric

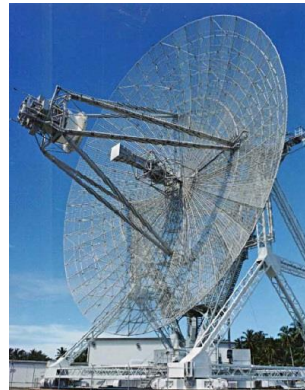
R – Recognize a dilemma

A – Analyze the options

D – Develop a plan

A – Act according to plan

R – Reflect on decision



Ethics Making Better Decisions – retrieved from: <http://www.dars.state.tx.us/ecis/providers/ethics/index.html>

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## Scenarios

You are the Service Coordinator and EIS on Vivian's IFSP team. In your role as Service Coordinator, you ask Vivian's mom (Alicia) about Vivian's services, her progress and if she has any new needs. Alicia tells you that she is really learning a lot from your SST visits, but hasn't really learned anything from her speech therapist. Alicia reports the speech therapist is inconsistent with her visits. Some weeks she comes and stays for an hour, but some weeks she cancels her visit or only stays for fifteen minutes. You are very concerned about this report. When you check Vivian's record, you notice the speech therapist has documented weekly visits that last an hour.

**What do you do?**



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## Scenarios



You are a new EIS to your program. One of the senior EISs invites you to lunch. You tell her that you can't go because you have a visit. She tells you, "just cancel and reschedule with the family". You tell her you won't be able to get in your numbers for the month if you cancel. She tells you, "just document the family no showed. Everyone does that every once in a while. Just don't make a habit of it or you will get caught"

**What do you do?**

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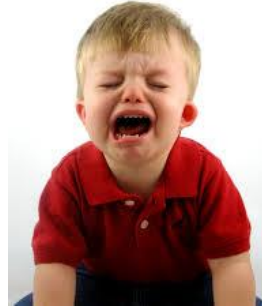
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## Scenarios

You are feeling very overwhelmed and stressed by your current caseload. You have just been assigned another child. The child does not qualify on the BDI-2, but you noticed several things during the evaluation that make you think he should be evaluated using qualitative determination of delay. You also know that if he does qualify using QDD, he would be added to your caseload. Before you can ask the parents if they would like to have their child evaluated using the HELP, your other team member says the child doesn't qualify and starts putting away the evaluation kit.



**What do you do?**

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## Making Ethical Decisions

- Use your available resources
  - IDEA, CFR, TAC, Program Policies
  - Code of Ethics
  - Supervisor or mentor
- Trust your instincts
  - Would you feel comfortable with your boss, peers, mom, grandma or best friend finding out about the decision?
  - Would you feel comfortable if your decision was on the front page of the paper?



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## Coming Up...

September 23 – 11:00 – 12:00

Topic 2: Procedural Safeguards

Topic 3: Child Abuse and Neglect



October 3 – 11:00 – 11:45

Topic 4: Boundaries and  
Professionalism

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