



MARICOPA
HEALTH PLAN

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Maricopa Health Plan

BULLETIN

DATE: 3/1/07

SUBJECT: Deficit Reduction Act

TO: All Providers

NO: 07_01

Please ensure that this information is communicated with the Pre-Visit Coordinators, Pre-certification staff, Nurses Managers, Clinic Managers and any other appropriate front office personnel.

Does your practice receive \$5 million or more in AHCCCS payments?

If so this applies to you! Effective January 1, 2007 there are several requirements under the Deficit Reduction Act that may apply to you as a provider of health services.

Any entity that receives annual Medicaid payments of \$5 million or more must have written policies regarding the False Claims Act. In general, the False Claims Act covers fraud involving any federally funded contract or program except for tax fraud. Specifically the False Claims Act addresses the following:

- Knowingly presenting to the federal government a false or fraudulent claim for payment
- Knowingly using a false record or statement to get a claim paid by the federal government
- Conspiring with others to get a false or fraudulent claim paid by the federal government
- Knowingly using a false record or statement to conceal, avoid or decrease an obligation to pay money or transmit property to the federal government.

If any entity is found guilty of any of the items above, that entity will be fined 3 times the dollar amount that the government is defrauded (treble damages) and civil penalties of \$5500 to \$11000 for each false claim.

Also included in the False Claims Act is the “qui tam” language, otherwise known as the “Whistle Blower” language. Qui Tam states that any private person can sue those who defrauded the government and receive a percentage of any recovery from the defendant. It also includes protection for the whistle blower and states any employee who is discharged, demoted, harassed or otherwise discriminated against because of lawful acts by the employee in furtherance of an action under the Act is entitled to any relief necessary to make the employee whole.

If you have any questions regarding this bulletin, please contact your Sr. Provider Relations Representative.

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