

## **How to report nursing home fraud and get a whistleblower reward**

### Reporting nursing home fraud

This article shows you how to get a reward for reporting Medicare/Medicaid fraud by reporting nursing home fraud. Below are examples of nursing home fraud followed by tips for reporting nursing home fraud and obtaining a reward.

### **Example of nursing home fraud scheme, billing for supplies not provided**

When the Medicare patient is not under a Medicare Part A covered stay, a nursing home may bill for certain medical supplies under Part B. A common form of nursing home fraud is billing Medicare for medical supplies that were not provided to the patient.

A variation of this nursing home fraud scheme is billing for different or more expensive supplies or durable medical equipment than actually provided. For example, suppliers have billed Medicare for custom-fitted body jackets, when in fact the items supplied are simply plain, wrap-around corsets that are secured by Velcro straps. The actual item provided costs \$30, but the so-called custom jackets are fraudulently billed for hundreds of dollars.

Another nursing home fraud scheme is unbundling of supplies. For instance, some nursing homes bill for kits but don't supply all of the items. Rather, they break kits down and add individual components to their own supply rooms and bill for those supplies to the same or other Medicare patients.

### **Example of nursing home fraud scheme, billing for services not provided or medically unnecessary**

Another example of nursing home fraud is billing for services, such as optometrists or podiatrists that are either not provided or not medically necessary. One common variation of this type of fraud is referred to as "gang visits" when more than one healthcare provider or a group of healthcare practitioners, such as optometrists and podiatrists, make visits to many if not most nursing home patients even though it is not medically necessary, and they also tend to bill for services not actually provided. Indeed, most of the patients don't have any prior symptom or conditions that warranted the healthcare provider's service.

### **Example of nursing home fraud scheme, billing social events as therapy or unnecessary therapy**

Mental health professionals commit nursing home fraud when they visit a nursing home or other long-term care facilities to conduct a social event, but bill it as group therapy.

A variation of therapy fraud at nursing homes is billing at different or higher rates than allowable. For instance, when therapy is supplied to large groups of patients that actually need it, it is still fraud to bill the group therapy for each member of the group as if it were provided individually to patients. For example, a physical therapist may spend 30 minutes with a group of 10 patients, but bill Medicare 30 minutes of each patient. It is also fraud to lie about the amount of time the therapy lasted.

In addition, nursing home fraud by therapists also includes providing unnecessary treatment, such as psychotherapy being provided to patients who cannot benefit from therapy such as those with Alzheimer's disease or in a coma.

### **Example of nursing home fraud scheme, Double billing Medicare and Medicaid**

Another common nursing home fraud scheme is billing the government twice for the same equipment. A nursing home bills Medicare for the durable medical equipment (DME) provided to a Medicare patient, but also bills Medicaid a per diem rate for providing services. Because the cost of the durable medical equipment (DME) is included in the Medicaid per diem rate, they double bill by also charging Medicare for the DME.

### **Tips for reporting nursing home fraud**

To get a whistleblower reward for reporting nursing home fraud it is not sufficient to call a Medicare or Medicaid fraud hotline. Instead, to apply for a reward for reporting nursing home fraud you must use an attorney (on a contingency basis) to file qui tam suit under the False Claims Act.

In addition, your attorney must strictly follow the exact procedures of the whistleblower reward statute to get a reward for reporting cheating or defrauding Medicare or government healthcare programs through nursing home fraud.

Moreover, you also need to have specific and detailed evidence of nursing home fraud. The government needs your help in uncovering fraudulent billing nursing home services. However, because most whistleblower reward applications lack specific proof of fraud (or contain another defect), the government turns away most reward applications. That's why selecting an experienced attorney that has handled many Medicare fraud cases is very important.

## **How much reward for reporting a nursing home fraud?**

The amount of a whistleblower reward for reporting nursing home fraud is based upon the amount the government recovers back, and the reward is between 15% and 25% of what the government collects from the nursing home company cheating Medicare. For instance, if a nursing home is cheating Medicare by \$10 million, the amount of the whistleblower reward could be between \$1.5 million and \$2.5 million.

## **How to report a nursing home fraud**

The Hesch Firm's website (and books written by Mr. Hesch) walk you step-by-step through the entire process of reporting nursing home fraud and shows you how to obtain a whistleblower reward.

Mr. Hesch has considerable experience with investigating Medicare fraud against the federal government while working for 15 years at the Civil Fraud Section of the U.S. Department of Justice in Washington, D.C., which is the office with nationwide authority over the whistleblower reward program. He now represents whistleblowers and confidentially reviews information to determine whether and how to report nursing home fraud.

Visit his website at [www.HowToReportFraud.com](http://www.HowToReportFraud.com) to find out if Mr. Hesch can help you answer the question of how to report nursing home fraud against Medicare or Medicaid and receive a whistleblower reward.