



NEW YORK STATE
DEPARTMENT OF HEALTH
OFFICE OF THE MEDICAID INSPECTOR GENERAL

REVIEW OF WAYNE COUNTY CHILD SPECIAL NEED PSSH
CLAIMS FOR PRESCHOOL SUPPORTIVE HEALTH SERVICES
PROGRAM SERVICES
PAID FROM
JANUARY 1, 2011 – DECEMBER 31, 2011

FINAL AUDIT REPORT
AUDIT #12-2433

James C. Cox
Medicaid Inspector General

October 9, 2013



STATE OF NEW YORK
OFFICE OF THE MEDICAID INSPECTOR GENERAL
259 Monroe Avenue, Suite 312
Rochester, NY 14607

ANDREW M. CUOMO
GOVERNOR

JAMES C. COX
MEDICAID INSPECTOR GENERAL

October 9, 2013

[REDACTED]
Wayne County Public Health
1519 Nye Road, Suite 200
Lyons, New York 14489

Re: Final Audit Report
Audit #: 12-2433

Dear [REDACTED]

Enclosed is the Office of the Medicaid Inspector General (OMIG) final audit report entitled "Review of Wayne County Child Special Need PSSH" (Provider) paid claims for Preschool Supportive Health Services Program services covering the period January 1, 2011, to December 31, 2011.

In the attached final audit report, the OMIG has detailed our purpose and scope, procedures, laws, regulations, rules and policies, sampling technique, findings, provider rights, and statistical analysis.

The OMIG has attached the sample detail for the paid claims determined to be in error. This final audit report incorporates consideration of any additional documentation and information presented in response to the draft audit report dated June 13, 2013. The mean point estimate overpaid is \$50,450. The lower confidence limit of the amount overpaid is \$32,942. We are 95% certain that the actual amount of the overpayment is greater than the lower confidence limit. This audit may be settled through repayment of the lower confidence limit of \$32,942.

Page 2
August 30, 2013

If the Provider has any questions or comments concerning this final audit report, please contact [REDACTED] or through email at [REDACTED]. Please refer to report number 12-2433 in all correspondence.

Sincerely,

[REDACTED]
Division of Medicaid Audit, Rochester
Office of the Medicaid Inspector General

Ver-4.0

[REDACTED]
cc: [REDACTED]

Enclosure

CERTIFIED MAIL [REDACTED]
RETURN RECEIPT REQUESTED

OFFICE OF THE MEDICAID INSPECTOR GENERAL

www.omig.ny.gov

The mission of the Office of the Medicaid Inspector General (OMIG), as mandated by New York Public Health Law § 31 is to preserve the integrity of the New York State Medicaid program by preventing and detecting fraudulent, abusive and wasteful practices within the Medicaid program and recovering improperly expended Medicaid funds.

DIVISION OF MEDICAID AUDIT

The Division of Medicaid Audit professional staff conducts audits and reviews of Medicaid providers to assess compliance with program requirements and, where necessary, to recover overpayments. These activities are done to monitor the cost-effective delivery of Medicaid services for prudent stewardship of scarce dollars; to assess the required involvement of professionals in planning care to program beneficiaries; to safeguard the quality of care, medical necessity and appropriateness of Medicaid services provided; and, to reduce the potential for fraud, waste and abuse.

DIVISION OF MEDICAID INVESTIGATIONS

The Division of Medicaid Investigations (DMI) investigates potential instances of fraud, waste, and abuse in the Medicaid program. DMI deters improper behavior by inserting covert and overt investigators into all aspects of the program, scrutinizing provider billing and services, and cooperating with other agencies to enhance enforcement opportunities. Disreputable providers are removed from the program or prevented from enrolling. Recipients abusing the system are not removed from this safety net, but their access to services is examined and restricted, as appropriate. DMI maximizes cost savings, recoveries and penalties, and also improves the quality of care for the state's most vulnerable population.

DIVISION OF TECHNOLOGY AND BUSINESS AUTOMATION

The Division of Technology and Business Automation will continue to support the data needs for the OMIG in the form of audit and investigative support, data mining and analysis, system match and recovery, through the use of commercial data mining products and procurement of expert service consultants.

OFFICE OF COUNSEL TO THE MEDICAID INSPECTOR GENERAL

The Office of Counsel to the Medicaid Inspector General promotes the OMIG's overall statutory mission through timely, accurate and persuasive legal advocacy and counsel.

EXECUTIVE SUMMARY

BACKGROUND

Pursuant to Title XIX of the Social Security Act, the Medicaid program provides medical assistance to low-income individuals and individuals with disabilities. The federal and state governments jointly fund and administer the Medicaid program. In New York State, the Department of Health (DOH) administers the Medicaid program. As part of this responsibility, the OMIG conducts audits and reviews of various providers of Medicaid reimbursable services, equipment and supplies. These audits and reviews are conducted to determine if the provider complied with applicable laws, regulations, rules and policies of the Medicaid program as set forth by the Departments of Health and Mental Hygiene [Titles 10, 14 and 18 of the Official Compilation of Codes, Rules and Regulations of the State of New York] and the Medicaid Provider Manuals.

Reimbursement under the Medicaid program is available under the School Supportive Health Services Program and Preschool Supportive Health Services Program (SSHSP and PSHSP) for certain diagnostic and health support services provided to students with, or suspected of having disabilities. SSHSP applies to the 5-21 year old population and PSHSP applies to the 3-4 year old population pursuant to §4410 of the Education Law. In 1988, Section 1903 of subdivision (c), of the Social Security Act (SSA) was added by §411(k)(13)(A) of the Medicare Catastrophic Act of 1988 (PL 100-360), to clarify Congressional intent by stating that nothing in Title XIX of the SSA shall preclude Medicaid coverage of services included in a disabled student's Individualized Education Program (IEP). New York State implemented the Federal law in 1989 by amending Section 368 (d) and (e) of Chapter 558 of the Social Services Laws to authorize payment of medical assistance funds for PSHSP and SSHSP services.

PURPOSE AND SCOPE

The purpose of this audit was to determine whether the Provider's claims for Medicaid reimbursement for Preschool Supportive Health Services complied with applicable federal and state laws, regulations, rules and policies governing the New York State Medicaid Program. With respect to Preschool Supportive Health Services, this audit covered services paid by Medicaid from January 1, 2011, through December 31, 2011.

SCHOOL SUPPORTIVE HEALTH SERVICES PROGRAM COMPLIANCE AGREEMENT

In July 2009, the United States Department of Justice, on behalf of the Office of Inspector General (OIG) of the Department of Health and Human Services and the Centers for Medicare and Medicaid Services (CMS) entered into a Settlement Agreement (Settlement Agreement) with the State of New York, the City of New York, and the Board of Education of the City School District of the City of New York to end litigation related to the New York State School Health Services Program (Program). In addition to the Settlement Agreement, CMS entered into Program Compliance Agreement (Compliance Agreement) with New York State Department of Health (DOH), New York State Department of Education and the New York State Office of the Medicaid Inspector General (OMIG) with respect to the Program's compliance with all rules and regulations applicable to this program. Under the terms of the Program Compliance Agreement, the OMIG must conduct payment audits of the Program's compliance with all applicable federal laws and regulations regarding claims for federal Medicaid participation. The payment audits will focus on program physical therapy, occupational therapy, speech therapy, audiological evaluations, evaluations for all available services, nursing services, psychological services, transportation, medical evaluations, targeted case management services, initial individual education plan (IEP), triennial IEP, annual IEP, requested or amended IEP and ongoing service coordination.

The OMIG is required to perform separate payment Program claim audits for the New York City School District and for school districts and Counties in the rest of the State. The results of these audits must be provided to CMS.

SUMMARY OF FINDINGS

We inspected a random sample of 100 claims with \$4,295.43 in Medicaid payments. Of the 100 claims in our random sample, 20 claims had at least one error and did not comply with state requirements. Of the 20 noncompliant claims, some contained more than one deficiency. Specifics are as follows:

<u>Error Description</u>	<u>Number of Errors</u>
No Documentation of Group Size or Group Size Exceeded Five Students	9
No IEP or IEP Does Not Indicate Special Transportation Required	6
No Documentation of "Under the Direction of" Supervision No IEP	4
Service Encounter Records Do Not Substantiate the Related Health Services Rendered On The Review Date	1

Based on the procedures performed, the OMIG has determined the Provider was overpaid \$670.17 in sample overpayments with an extrapolated point estimate of \$50,450. The lower confidence limit of the amount overpaid is \$32,942.

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INTRODUCTION

BACKGROUND

Medicaid Program

Pursuant to Title XIX of the Social Security Act, the Medicaid program provides medical assistance to low-income individuals and individuals with disabilities. The Federal and State governments jointly fund and administer the Medicaid program.

New York State's Medicaid Program

In New York State, the Department of Health (DOH) is the State agency responsible for operating the Medicaid program. Within DOH, the Office of Health Insurance Programs administers the Medicaid program. DOH uses the electronic Medicaid New York information system (eMedNY), a computerized payment and information reporting system, to process and pay Medicaid claims, including SSHSP and PSHSP claims.

As part of this responsibility, the OMIG conducts audits and reviews of various providers of Medicaid reimbursable services, equipment and supplies. These audits and reviews are conducted to determine if the provider complied with applicable laws, regulations, rules and policies of the Medicaid program as set forth by the Departments of Health and Mental Hygiene [Titles 10, 14 and 18 of the Official Compilation of Codes, Rules and Regulations of the State of New York] and the Medicaid Provider Manuals.

New York State's School Supportive Health Services Program and Preschool Supportive Health Services Program

Reimbursement under the Medicaid program is available under the School Supportive Health Services Program and Preschool Supportive Health Services Program (SSHSP and PSHSP) for certain diagnostic and health support services provided by a school or county to students with, or suspected of having disabilities. Services (physical therapy, occupational therapy, speech pathology/therapy, psychological counseling, skilled nursing services), evaluations (basic and comprehensive psychological evaluations, medical evaluations, medical specialist evaluations, audiological evaluations) and special transportation must be provided by qualified professionals either under contract with, or employed by, school districts/§4201 schools/county agencies. In addition, school districts are able to claim Medicaid reimbursement for five additional services identified as Targeted Case Management (TCM). Furthermore, the school districts/§4201 schools/counties must be enrolled as Medicaid providers in order to bill Medicaid.

The specific standards and criteria for SSHSP and PSHSP services are primarily outlined in the provider manual "Medicaid Claiming/Billing Handbook – (UPDATE #6)" as updated by the New York State Department of Health with the New York State Education Department, Part 200 of the Regulations of the Commissioner of the New York State Education Department, and the Questions and Answers posted on the New York State Education Department website, under NYS Medicaid in Education.

School Supportive Health Services Program Compliance Agreement

In July 2009, the United States Department of Justice, on behalf of the Office of Inspector General (OIG) of the Department of Health and Human Services and the Centers for Medicare and Medicaid Services (CMS) entered into a Settlement Agreement (Settlement Agreement) with the State of New York, the City of New York, and the Board of Education of the City School District of the City of New York to end litigation related to the New York State School Health Services Program (Program). In addition to the Settlement Agreement CMS entered into Program Compliance Agreement (Compliance Agreement) with New York State Department of Health (DOH), New York State Department of Education and the New York State Office of the Medicaid Inspector General (OMIG) with respect to the Program's compliance with all rules and regulations applicable to this program. Under the terms of the Program Compliance Agreement, the OMIG must conduct payment audits of the Program's compliance with all applicable federal laws and regulations regarding claims for federal Medicaid participation. The payment audits will focus on program physical therapy, occupational therapy, speech therapy, audiological evaluations, evaluations for all available services, nursing services, psychological services, transportation, medical evaluations, targeted case management services, initial individual education plan (IEP), triennial IEP, annual IEP, requested or amended IEP and ongoing service coordination.

The OMIG is required to perform separate payment Program claim audits for the New York City School District and for school districts and Counties in the rest of the State. The results of these audits must be provided to CMS.

PURPOSE, SCOPE, AND METHODOLOGY

Purpose

The purpose of this audit was to determine whether the Provider's claims for Medicaid reimbursement for Preschool and School Supportive Health Services complied with applicable Federal and State laws, regulations, rules and policies governing the New York State Medicaid Program and to verify that:

- Medicaid reimbursable services were rendered for the dates billed;
- appropriate rate or procedure codes were billed for services rendered;
- patient related records contained the documentation required by the regulations; and,
- claims for payment were submitted in accordance with DOH regulations and the appropriate Provider Manuals.

Scope

Our audit period covered payments to the Provider for Preschool Supportive Health Services Program services paid by Medicaid from January 1, 2011, through December 31, 2011. Our audit universe consisted of 7,528 claims totaling \$311,781.68.

During our audit, we did not review the overall internal control structure of the Provider. Rather, we limited our internal control review to the objective of our audit.

Methodology

To accomplish our objective, we:

- reviewed applicable federal and state laws, regulations, rules and policies;
- held discussions with the Provider's management personnel to gain an understanding of the Preschool Supportive Health Services Program;
- ran computer programming application of claims in our data warehouse that identified 7,528 paid Preschool Supportive Health Services Program claims, totaling \$311,781.68;
- selected a random sample of 100 claims from the population of 7,528 claims; and,
- estimated the overpayment paid in the population of 7,528 claims.

For each claim selection we inspected, as available, the following:

- Medicaid electronic claim information
- Patient record, including, but not limited to:
 - Individualized Education Program (IEP)
 - CSE Meeting Minutes
 - Invitation to parent/guardian to attend a CSE meeting and notification of the outcome
 - Service reports
 - Progress notes
- Any additional documentation deemed by the Provider necessary to substantiate the Medicaid paid claim

LAWS, REGULATIONS, RULES AND POLICIES

The following are applicable Laws, Regulations, Rules, and Policies of the Medicaid program referenced when conducting this audit:

- Departments of Health and Mental Hygiene [Titles 10, 14, and 18 of the Official Compilation of Codes, Rules and Regulations of the State of New York (10 NYCRR, 14 NYCRR, 18 NYCRR)], and State Education Department [Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York (8 NYCRR Part 200)].
- Medicaid Management Information System and eMedNY Provider Manual, including applicable updates by the New York State Department of Health with the New York State Education Department.
- Specifically, Title 18 NYCRR Section 540.6, and other applicable program regulations, for example, 14 NYCRR Part 822.

Regulations state: "By enrolling the provider agrees: (a) to prepare and to maintain contemporaneous records demonstrating its right to receive payment . . . and to keep for a period of six years from the date the care, services or supplies were furnished, all records necessary to disclose the nature and extent of services furnished and all information regarding claims for payment submitted by, or on behalf of, the provider . . . (e) to submit claims for payment only for services actually furnished and which were medically necessary or otherwise authorized under the Social Services Law when furnished and which were provided to eligible persons; (f) to submit claims on officially authorized claim forms in the manner specified by the department in conformance with the standards and procedures for claims submission; . . . (h) that the information provided in relation to any claim for payment shall be true, accurate and complete; and (i) to comply with the rules, regulations and official directives of the department."

18 NYCRR Section 504.3

Regulations state: "Fee-for-service providers.(1) All providers ... must prepare and maintain contemporaneous records demonstrating their right to receive payment . . . All records necessary to disclose the nature and extent of services furnished and the medical necessity therefor ... must be kept by the provider for a period of six years from the date the care, services or supplies were furnished or billed, whichever is later. (2) All information regarding claims for payment submitted by or on behalf of the provider is subject to audit for a period of six years from the date the care, services or supplies were furnished or billed, whichever is later, and must be furnished, upon request, to the department ... for audit and review."

18 NYCRR Section 517.3(b)

Regulations require that bills for medical care, services and supplies contain patient name, case number and date of service; itemization of the volume and specific types of care, services and supplies provided; the unit price and total cost of the care, services and supplies provided; and a dated certification by the provider that the care, services and supplies itemized have been in fact furnished; that the amounts listed are in fact due and owing; that such records as are necessary to disclose fully the extent of care, services and supplies provided to individuals under the New York State Medicaid program will be kept for a period of not less than six years from the date of payment; and that the provider understands that payment and satisfaction of

this claim will be from Federal, State and local public funds and that he or she may be prosecuted under applicable Federal and State laws for any false claims, statements or documents, or concealment of a material fact provided.

18 NYCRR Section 540.7(a)(1)-(3) and (8)

Regulations state: "An overpayment includes any amount not authorized to be paid under the medical assistance program, whether paid as the result of inaccurate or improper cost reporting, improper claiming, unacceptable practices, fraud, abuse or mistake."

18 NYCRR Section 518.1(c)

Regulations state: "Vendor payments for medical care and other items of medical assistance shall not be made unless such care or other items of assistance have been furnished on the basis of the appropriate authorization prescribed by the rules of the board and regulations of the department."

18 NYCRR Section 540.1

Regulations state: "The department may require repayment from the person submitting an incorrect or improper claim, or the person causing such claim to be submitted, or the person receiving payment for the claim."

18 NYCRR Section 518.3(a)

Regulations state: "The department may require repayment for inappropriate, improper, unnecessary or excessive care, services or supplies from the person furnishing them, or the person under whose supervision they were furnished, or the person causing them to be furnished...."

18 NYCRR Section 518.3(b)

Regulations state: "Medical care, services or supplies ordered or prescribed will be considered excessive or not medically necessary unless the medical basis and specific need for them are fully and properly documented in the client's medical record."

18 NYCRR Section 518.3(b)

DETAILED FINDINGS

The OMIG's review of Medicaid claims paid to the Provider from January 1, 2011, through December 31, 2011, identified 20 claims with at least one error, for a total sample overpayment of \$670.17 (Attachment C).

Sample Selection

- 1. No Documentation of Group Size or Group Size Exceeded Five Students** 11, 12, 16, 27, 71, 72, 77, 79, 81

Regulations state, "When a related service is provided to a number of students at the same time, the number of students in the group shall not exceed five students per teacher or specialist except that, in the school district of the city of New York, the commissioner shall allow a variance of up to 50 percent rounded up to the nearest whole number from the maximum of five students per teacher or specialist."

*8 NYCRR Section 200.6(e)(3)
New York Codes, Rules and Regulations*

In 9 instances pertaining to 7 patients, the group size was not indicated on the service report.

- 2. No IEP or IEP Does Not Indicate Special Transportation Required** 5, 15, 24, 28, 35, 87

"Special transportation recommended by the Committee on Special Education (CSE) and the Committee on Preschool Special Education (CPSE) and identified on the students' IEP is eligible for Medicaid funding."

*Questions and Answers,
Issued 6/11/10, page 18*

In 3 instances pertaining to 1 patient, there was no IEP for the DOS.

In 3 instances pertaining to 3 patients, the IEP did not indicate special transportation services needed.

- 3. No Documentation of "Under the Direction of" Supervision** 3, 14, 78, 86

"Under the Direction of" means that the qualified practitioner:

- Sees the participant at the beginning of and periodically during treatment;

- Is familiar with the treatment plan recommended by the referring physician or other licensed practitioner of the healing arts practicing under State law;
- Has input into the type of care provided;
- Has continued involvement in the care provided, and reviews the need for continued services throughout treatment;
- Assumes professional responsibility for services provided under his or her direction and monitors the need for continued services;
- Spends as much time as necessary directly supervising services to ensure beneficiaries are receiving services in a safe and efficient manner in accordance with accepted standards of practice;
- Ensures that individuals working under his or her direction have contact information to permit him or her direct contact with the supervising therapist as necessary during the course of treatment; and
- Keeps documentation supporting the supervision and ongoing involvement in the treatment of each student.”

*Questions and Answers,
Issued 6/11/10, page 11*

In 4 instances pertaining to 2 patients, there was missing documentation of supervision.

4. No IEP 11

“The need for speech and language services must also be documented in the IEP.”

*Questions and Answers,
Issued 6/11/10, page 7*

In 1 instance, there was no IEP covering the DOS.

5. Service Encounter Records Do Not Substantiate the Related Health Services Rendered On The Review Date 94

“Claims for Medicaid reimbursement for special transportation must be supported by the following documentation: . . .

- The Medicaid reimbursable services to be delivered to the child must also be included in the child’s IEP;

Sample Selection

- Session notes for the Medicaid reimbursable service other than transportation that was delivered to the student.”

*Questions and Answers,
Issued 6/11/10, page 18*

In 1 instance, there was no signed service report.

CORRECTIVE ACTION

The OMIG's review of Medicaid claims paid to the Provider from January 1, 2011, through December 31, 2011 also identified 42 claims with a corrective action error. The Provider must ensure proper review against these errors and a corrective action response is requested.

Sample Selection

1. Bus/Transportation Log Incomplete

“The bus/transportation log must include:

- The student's name;
- Both the origination of the trip and the time of pickup;
- Both the destination of the trip and time of drop off;
- Bus number or the vehicle license plate number; and,
- The full printed name of the driver providing the transportation.”

*Questions and Answers,
Issued 6/11/10, page 18*

In 41 instances pertaining to 31 patients, the bus/transportation log was incomplete.

4, 5, 6, 8, 13, 15, 17, 18, 20, 21, 23,
24, 26, 28, 29, 35, 36, 37, 40, 41,
42, 47, 50, 51, 52, 53, 56, 58, 59,
60, 61, 68, 69, 73, 74, 80, 87, 89,
93, 94, 98

2. IEP Over 1 Year Old

13, 88

“(f) Annual review. The individualized education program (IEP) of each student with a disability shall be reviewed and, if appropriate, revised, periodically but not less than annually to determine if the annual goals for the student are being achieved.”

*Part 200.4(f)
NYS Education Law*

In 2 instances pertaining to 2 patients, the IEP for a student was not reviewed on an annual basis as required by State Education Regulation 200.4(f). Based on written guidance from the Office of Special Education Programs, as well as a New York

Sample Selection

State Review Officer decision, it was the determination of NYSED-VESID that the student's IEP remains in effect even if the annual review date for that document has lapsed. The existing IEP is considered the current recommendation for the student until the Committee of Special Education (CSE) convenes to develop a new IEP. A Correction Action is cited, but the claim was allowed.

PROVIDER RIGHTS

In accordance with 18 NYCRR Part 518 which regulates the collection of overpayments, your repayment options are described below. If you decide to repay the lower confidence limit amount of \$32,942, one of the following repayment options must be selected within 20 days from the date of this letter:

OPTION #1: Make full payment by check or money order within 20 days of the date of the final audit report. The check should be made payable to the New York State Department of Health and be sent with the attached Remittance Advice to:

[REDACTED]
New York State Department of Health
Medicaid Financial Management
GNARESP Corning Tower, Room 2739
File #12-2433
Albany, New York 12237

OPTION #2: Enter into a repayment agreement with the Office of the Medicaid Inspector General. If your repayment terms exceed 90 days from the date of the final audit report, recoveries of amounts due are subject to interest charges at the prime rate plus 2%. If the process of establishing the repayment agreement exceeds 20 days from the date of the final audit report, the OMIG will impose a 15% withhold after 20 days until the agreement is established.

Furthermore, the OMIG may require financial information from you to establish the terms of the repayment agreement. If additional information is requested, the OMIG must receive the information within 30 days of the request or a 50% withhold will be imposed. OMIG acceptance of the repayment agreement is based on your repaying the Medicaid overpayment as agreed. The OMIG will adjust the rate of recovery, or require payment in full, if your unpaid balance is not being repaid as agreed. The OMIG will notify you no later than 5 days after initiating such action. If you wish to enter into a repayment agreement, you must forward your written request within 20 days to the following:

Bureau of Collections Management
New York State Office of the Medicaid Inspector General
800 North Pearl Street
Albany, New York 12204
[REDACTED]

If within 20 days, you fail to make full payment or contact the OMIG to make repayment arrangements, the OMIG will establish a withhold equal to 50% of your Medicaid billings to recover payment and liquidate the lower confidence limit amount, interest and/or penalty, not barring any other remedy allowed by law. The OMIG will provide notice to you no later than 5 days after the withholding of any funds. In addition, if you receive an adjustment in your favor while you owe funds to the State, such adjustment will be applied against the amount owed.

If you choose not to settle this audit through repayment of the adjusted lower confidence limit, you have the right to challenge these findings by requesting an administrative hearing where the OMIG would seek and defend the point estimate of \$50,450. As allowed by state regulations, you must make your request for a hearing, in writing, within sixty (60) days of the date of this report to:

General Counsel
Office of Counsel
New York State Office of the Medicaid Inspector General
800 North Pearl Street
Albany, New York 12204

Questions regarding the request for a hearing should be directed to Office of Counsel, at 

Issues you may raise shall be limited to those issues relating to determinations contained in the final audit report. Your hearing request may not address issues regarding the methodology used to determine the rate, or any issue that was raised at a proceeding to appeal a rate determination.

At the hearing you have the right to:

- a) be represented by an attorney or other representative, or to represent yourself;
- b) present witnesses and written and/or oral evidence to explain why the action taken is wrong; and
- c) cross examine witnesses of the Department of Health and/or the OMIG.

The OMIG reserves the right to conduct further reviews of your participation in the Medicaid Program, take action where appropriate, and recover monies owed through the initiation of a civil lawsuit or other legal mechanisms including but not limited to the recovery of state tax refunds pursuant to Section 206 of the Public Health Law and Section 171-f of the State Tax Law.

**NEW YORK STATE
OFFICE OF THE MEDICAID INSPECTOR GENERAL
REMITTANCE ADVICE**

NAME AND ADDRESS OF AUDITEE

Wayne County Public Health
1519 Nye Road, Suite 200
Lyons, New York 14489

AMOUNT DUE: \$32,942

PROVIDER ID

AUDIT #12-2433

AUDIT	<input checked="" type="checkbox"/>	PROVIDER
	<input type="checkbox"/>	RATE
	<input type="checkbox"/>	PART B
TYPE	<input type="checkbox"/>	OTHER:

CHECKLIST

1. To ensure proper credit, please enclose this form with your check.
2. Make checks payable to: *New York State Department of Health*
3. Record the Audit Number on your check.
4. Mail check to:

New York State Department of Health
Medicaid Financial Management, B.A.M.
GNARESP Corning Tower, Room 2739
File #12-2433
Albany, New York 12237

Thank you for your cooperation.

SAMPLE DESIGN AND METHODOLOGY

Our sample design and methodology are as follows:

- Universe - Medicaid claims for Preschool Supportive Health Services Program services paid during the period January 1, 2011, through December 31, 2011.
- Sampling Frame - The sampling frame for this objective is the Medicaid electronic database of paid Provider claims for Preschool Supportive Health Services Program services paid during the period January 1, 2011, through December 31, 2011.
- Sample Unit - The sample unit is a Medicaid claim paid during the period January 1, 2011, through December 31, 2011.
- Sample Design – Simple sampling was used for sample selection.
- Sample Size – The sample size is 100 claims.
- Source of Random Numbers – The source of the random numbers was the OMIG statistical software. We used a random number generator for selecting our random sampling items.
- Characteristics to be measured - Adequacy of documentation received supporting the sample claims.
- Treatment of Missing Sample Services - For purposes of appraising items, any sample service for which the Provider could not produce sufficient supporting documentation was treated as an error.
- Estimation Methodology – Estimates are based on the sample data using per unit estimates.

SAMPLE RESULTS AND ESTIMATES

Universe Size	7,528
Sample Size	100
Sample Book Value	\$4,295.43
Sample Overpayments	\$670.17
Net Financial Error Rate	15.6%
Mean Dollars in Error	\$6.7017
Standard Deviation	14.10
Point Estimate of Total Dollars	\$50,450
Confidence Level	90%
Lower Confidence Limit	\$32,942

OFFICE OF THE MEDICAID INSPECTOR GENERAL
WAYNE COUNTY CHILD SPEC NEED PSSH
REVIEW OF SAMPLE SELECTION
PROJECT NUMBER: 12-2433
REVIEW PERIOD: 01/01/11 - 12/31/11

Sample Number	Date of Service	Rate Code Billed	Rate Code Derived	Amount		Over Payment	DETAILED AUDIT FINDINGS				
				Billed	Derived		1. No Documentation of Group Size or Group of Students Exceeded Five	2. No IEP or IEP does not Indicate Special Transportation Required	3. "Under the Direction of Supervisor"	4. No IEP	Additional Findings
1	01/05/10	2024	2024	\$ 50.57	\$ 50.57	\$ -					
2	01/07/10	2024	2024	50.57	50.57	-					
3	03/11/10	2074		44.38	-	44.38			X		6
4	05/16/11	2104	2104	20.42	20.42	-					6
5	05/03/11	2104	2104	40.84	-	40.84		X			6
6	02/10/10	2104	2104	40.84	40.84	-					6
7	06/06/11	2024	2024	50.57	50.57	-					
8	01/06/10	2104	2104	40.84	40.84	-					6
9	01/27/10	2024	2024	50.57	50.57	-					
10	06/07/10	2084	2084	47.92	47.92	-					
11	07/15/11	2025		24.85	-	24.85	X				
12	02/11/10	2025		24.85	-	24.85	X				
13	02/12/10	2104	2104	40.84	40.84	-					6,7
14	06/23/10	2084		47.92	-	47.92		X			
15	06/07/11	2104	2104	40.84	-	40.84			X		6
16	02/05/10	2025		24.85	-	24.85	X				
17	08/12/10	2104	2104	40.84	40.84	-					6
18	06/06/11	2104	2104	40.84	40.84	-					6
19	08/12/10	2084	2084	47.92	47.92	-					6
20	05/12/10	2104	2104	40.84	40.84	-					6
21	12/18/09	2104	2104	40.84	40.84	-					6
22	05/18/10	2025	2025	24.85	24.85	-					6
23	06/22/11	2104	2104	40.84	40.84	-					6
24	01/06/10	2104	2104	40.84	-	40.84			X		6
25	05/13/11	2024	2024	50.57	50.57	-					

OFFICE OF THE MEDICAID INSPECTOR GENERAL
 WAYNE COUNTY CHILD SPEC NEED PSSH
 REVIEW OF SAMPLE SELECTION
 PROJECT NUMBER: 12-2433
 REVIEW PERIOD: 01/01/11 - 12/31/11

Sample Number	Date of Service	Rate Code		Billed	Amount		Over Payment	DETAILED AUDIT FINDINGS				
		Billed	Derived		Billed	Derived		1. No Documentation of Group Size or Group Size Exceeded Five	2. No IEP or IEP does not Indicate Special Transportation Required	3. "Under the Direction of Supervision of"	4. No IEP	Additional Findings
26	01/07/10	2104	2104	\$ 40.84	\$ 40.84	\$ -	-	X				6
27	02/02/10	2025	2104	24.85	-	24.85	24.85					6
28	05/04/10	2104	2104	40.84	-	40.84	40.84	X				6
29	08/04/10	2104	2104	40.84	40.84	-	-					6
30	03/11/10	2025	2025	24.85	24.85	-	-					
31	05/18/11	2024	2024	50.57	50.57	-	-					
32	03/22/10	2024	2024	50.57	50.57	-	-					
33	03/26/10	2084	2084	71.88	71.88	-	-					
34	01/19/10	2024	2024	50.57	50.57	-	-					
35	04/11/11	2104	2104	40.84	-	40.84	40.84	X				6
36	05/27/11	2104	2104	40.84	40.84	-	-					6
37	05/09/11	2104	2104	40.84	40.84	-	-					6
38	06/15/11	2024	2024	50.57	50.57	-	-					
39	12/08/09	2024	2024	50.57	50.57	-	-					
40	04/16/10	2104	2104	40.84	40.84	-	-					6
41	06/13/11	2104	2104	40.84	40.84	-	-					6
42	01/27/10	2104	2104	40.84	40.84	-	-					6
43	03/29/10	2024	2024	50.57	50.57	-	-					
44	06/13/11	2024	2024	50.57	50.57	-	-					
45	12/29/09	2024	2024	50.57	50.57	-	-					
46	04/15/10	2024	2024	50.57	50.57	-	-					
47	03/12/10	2104	2104	40.84	40.84	-	-					6
48	01/10/10	2024	2024	50.57	50.57	-	-					
49	02/25/10	2024	2024	50.57	50.57	-	-					
50	05/23/11	2104	2104	40.84	40.84	-	-					6

OFFICE OF THE MEDICAID INSPECTOR GENERAL
WAYNE COUNTY CHILD SPEC NEED PSSH
REVIEW OF SAMPLE SELECTION
PROJECT NUMBER: 12-2433
REVIEW PERIOD: 01/01/11 - 12/31/11

Sample Number	Date of Service	Rate Code		Amount Billed	Amount Derived	Over Payment	DETAILED AUDIT FINDINGS				
		Billed	Derived				1. No Documentation of Group Size or Group of Students Exceeded Five	2. No IEP or IEP does not Indicate Special Transportation Required	3. No Documentation of Supervision or Direction of	4. No IEP Additional Findings	
76	06/03/11	2024	2024	\$ 50.57	\$ 50.57	\$ -					
77	06/10/10	2025		24.85	-	24.85	X				
78	06/09/10	2074		44.38	-	44.38		X			
79	02/22/10	2025		24.85	-	24.85	X				
80	03/09/10	2104	2104	40.84	40.84	-				6	
81	05/14/10	2025		24.85	-	24.85	X				
82	02/02/10	2024	2024	50.57	50.57	-					
83	03/14/10	2024	2024	50.57	50.57	-					
84	06/18/10	2024	2024	50.57	50.57	-					
85	03/30/10	2024	2024	50.57	50.57	-					
86	03/18/10	2074		44.38	-	44.38		X		6	
87	04/26/10	2104		40.84	-	40.84				7	
88	04/16/10	2024	2024	50.57	50.57	-	X			6	
89	12/14/09	2104	2104	40.84	40.84	-				6	
90	06/15/10	2024	2024	50.57	50.57	-					
91	02/22/10	2024	2024	50.57	50.57	-					
92	05/04/11	2024	2024	50.57	50.57	-					
93	06/03/11	2104	2104	40.84	40.84	-				6	
94	12/09/09	2104		20.42	-	20.42				5,6	
95	04/26/10	2024	2024	50.57	50.57	-					
96	03/31/10	2024	2024	50.57	50.57	-					
97	07/29/11	2024	2024	50.57	50.57	-					
98	05/17/11	2104	2104	40.84	40.84	-				6	
99	02/06/10	2024	2024	50.57	50.57	-					
100	04/28/10	2024	2024	50.57	50.57	-					
Totals				\$ 4,295.43	\$ 3,625.26	\$ 670.17	9	4	6	4	1

OFFICE OF THE MEDICAID INSPECTOR GENERAL
 WAYNE COUNTY CHILD SPEC NEED PSSH
 REVIEW OF SAMPLE SELECTION
 PROJECT NUMBER: 12-2433
 REVIEW PERIOD: 01/01/11 - 12/31/11

Sample Number	Date of Service	Rate Billed	Code Derived	Amount Billed	Amount Derived	Over Payment	Additional Findings
							DETAILED AUDIT FINDINGS 1. No Documentation of Group Size or Group Size Exceeded Five Students 2. No IEP or IEP does not Indicate Special Transportation Required 3. No Documentation of "Under the Direction of" Supervision 4. No IEP Additional Findings

Additional Findings.

- 5 - Service Encounter Records do not Substantiate the Related Health Services Rendered On The Review Date (1)
- 6 - Bus / Transportation Log Incomplete** (41)
- 7 - IEP Over 1 Year Old** (2)

** Signifies Corrective Action Only