

PUBLICATION

OIG Work Plan – September 2017 Update

September 2017

Beginning in June 2017, the OIG began making monthly Work Plan updates. These monthly updates create some practical challenges for health care providers and compliance professionals trying to make operational and compliance decisions based on information from the OIG's Work Plan. (For further discussion, see "OIG Unveils New Work Plan Process: Assessing the Impact on Compliance Risk Assessment.") To assist in this endeavor, the Baker Ober Health Law Group will include a compilation of the OIG's monthly Work Plan updates, adding helpful context and highlights as a monthly feature in our Health Law Alert newsletter

The OIG added nine items to its Work Plan with the September 2017 update. They are listed below. Strikingly, three of the nine new items relate to Medicaid. One of the Medicaid audits combines two areas of concern for the OIG – access to behavioral health services and access issues related to the proliferation of Medicaid managed care programs. The OIG observes that Medicaid is the single largest payer for behavioral health services in the United States, and most states provide these services through Medicaid managed care plans.

Those in the nursing home industry should note that the OIG will be examining compliance with life safety and emergency preparedness requirements. The OIG points out that CMS has updated these requirements for health care facilities. Facilities now are required to install expanded sprinkler and smoke detector systems, as well as include provisions for sheltering in place and evacuation. OIG plans to review whether long term care facilities that received Medicare or Medicaid funds complied with these new federal requirements for life safety and emergency preparedness for the period May 4, 2016 – November 15, 2017. Given the number and severity of storms during this hurricane season, the results of this audit will be widely anticipated.

It is also notable that one of the audits relates to opioids, particularly the process around state-targeted response grants related to opioids. In fact, the OIG notes that the 21st Century Cures Act authorized the award of up to \$1 billion in grants to combat opioid addiction.

Of final note, the OIG has added what appears to be a broad review of CMS's Federal Marketplace Enrollment Systems. The OIG notes that its work may include operational readiness, internal controls and IT security. The OIG anticipates that the work on the fifth open enrollment period will build on the OIG's work in this area in prior years.

Announced	Agency	Title	Component	Report Number(s)
September 2017	Centers for Medicare & Medicaid Services	Federal Marketplace Enrollment Systems	Multiple	W-00-00-0000
September 2017	Office of the Assistant Secretary for Administration	HHS Incident Response Capability	Office of Audit Services	A-18-17-04002

Announced	Agency	Title	Component	Report Number(s)
September 2017	Centers for Medicare & Medicaid Services	Availability of Behavioral Health Services in Medicaid Managed Care	Office of Evaluation and Inspections	02-17-00490
September 2017	Centers for Medicare & Medicaid Services	Medicaid Health Home Services for Beneficiaries with Chronic Conditions	Office of Audit Services	W-00-17-31524; A-02-17-00000
September 2017	Centers for Medicare & Medicaid Services	Medicaid Nursing Home Life Safety Reviews	Office of Audit Services	W-00-17-31525; A-02-17-00000
September 2017	Substance Abuse and Mental Health Services Administration	SAMHSA Pre-Award Process for Opioid State Targeted Response Grants	Office of Audit Services	W-00-17-59429; A-03-17-03302
September 2017	Administration for Children and Families	Review of Child Care and Development Fund Subsidy Payments in New York City	Office of Audit Services	W-00-17-59428; A-02-17-02010
September 2017	Centers for Medicare & Medicaid Services	Part D Sponsors Reporting of Direct and Indirect Remunerations	Office of Audit Services	W-00-18-35514; A-03-18-xxxxx
September 2017	Administration for Children and Families	Child Care and Development Fund: State Criminal Background Check Requirements	Office of Audit Services	W-00-17-59430

For more information on these OIG Work Plan updates, please contact the author or any other member of the [Baker Ober Health Law Group](#).