



**CALIFORNIA HEALTH ADVOCATES**  
Medicare: Policy, Advocacy and Education

# Elder Justice for Medicare Beneficiaries

October 20, 2020



**CALIFORNIA  
ELDER JUSTICE  
COALITION**

PROTECT • DEFEND • EMPOWER



*This project was supported, in part by grant number 90MPPG0019-03-00 from the U.S. Administration for Community Living, Department of Health and Human Services, Washington, D.C. 20201.*

## Presenters

- Lisa Nerenberg, Executive Director
- California Elder Justice Coalition (CEJC)
- Micki Nozaki, Director
- California Health Advocates
- Senior Medicare Patrol (SMP)

# Agenda

- Elder Justice
- Healthcare Fraud
- Senior Medicare Patrol & State Health Insurance Programs



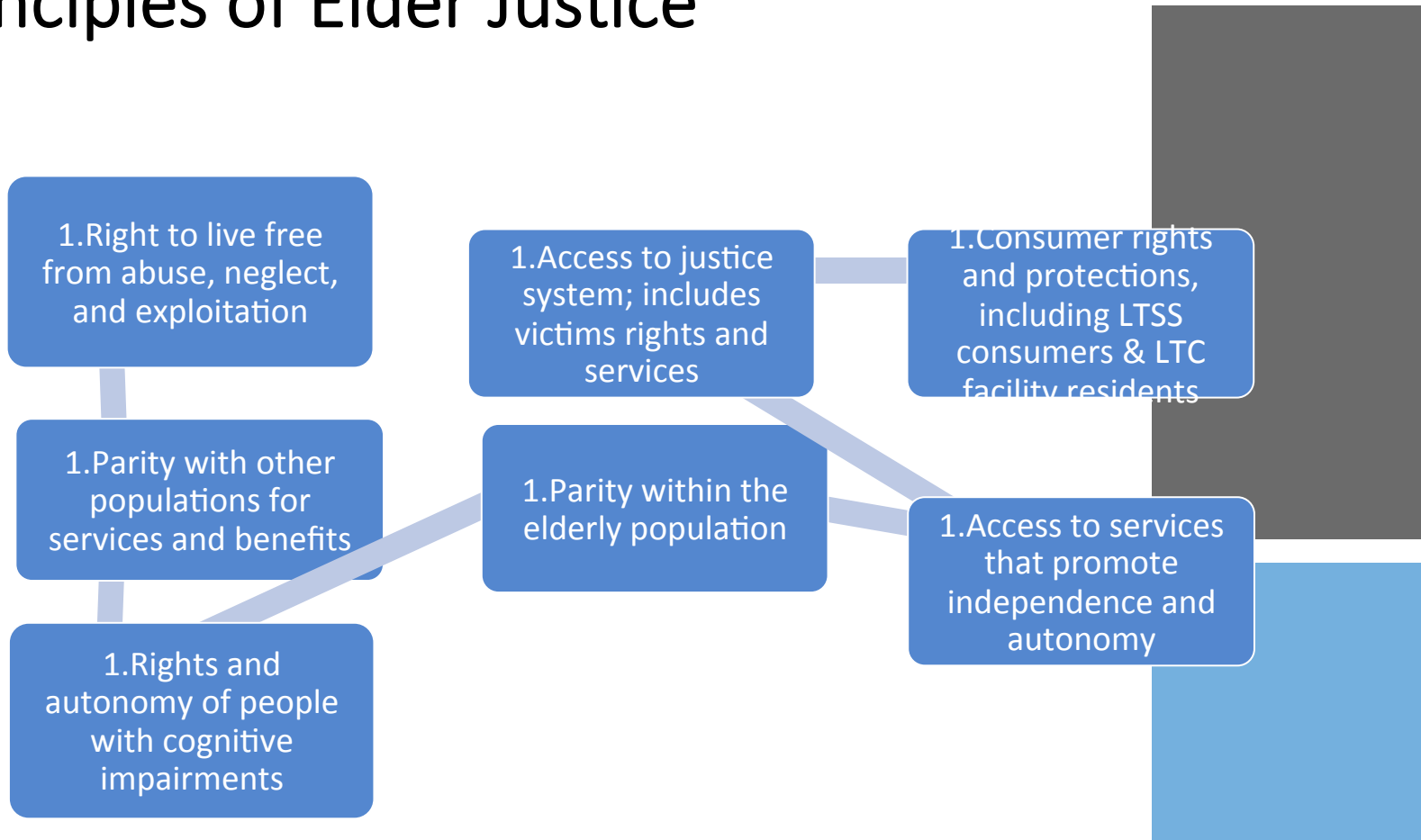
**CALIFORNIA  
ELDER JUSTICE  
COALITION**

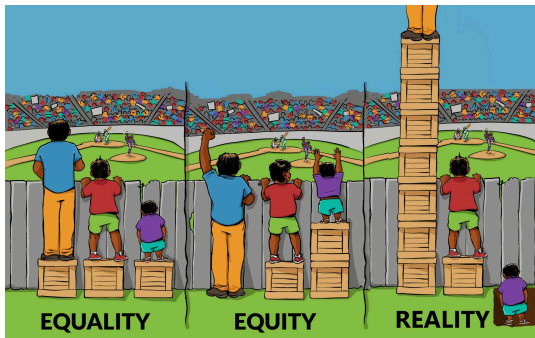
PROTECT • DEFEND • EMPOWER

Protecting the rights,  
independence, and safety of older  
people



# Principles of Elder Justice





Principles of Elder Justice (December 2019)



# Principles of Elder Justice

- <https://www.elderjusticecal.org/awareness-snapshots.html>

# CEJC Recommendations to CA MPA

“No Wrong Door” to reporting. All reported cases investigated

Access to & help with advanced directives

Elder Justice Coordinating Council

Adults w/cognitive impairments have supports and representation in decision making

Focus on older Californians at risk of homelessness, neglect, poverty, disability, and abuse

Working Interdisciplinary Network of Guardianship Stakeholders (WINGS)

## Goal 4: Economic Security, Safety & Emergency Preparedness: Elder Justice and Abuse Recommendations

1. Form a California Elder Justice Coordinating Committee, modeled after the federal EJCC established in the Elder Justice Act.
2. Increase government support of legal services providers.
3. Lower the threshold age for age-related services to 50 for homeless individuals.
4. Target resources and research for elder abuse prevention at both the general public and distinct communities.
5. Re-examine the relationship between law enforcement, entities that play a role in preventing elder abuse and victims of elder abuse.
6. Create a statewide, easy-to-access database of elder abuse information.
7. Encourage use of advanced health care directives.
8. Promote alternatives to guardianship through the creation of a WINGS program.
9. Create a statewide network of elder abuse shelters.
10. Increase consumer protections through the creation of a state consumer protection agency.



# National Network of State Elder Justice Coalitions

*"Advancing state coalition efforts to stop elder abuse and promote elder justice"*

- California Elder Justice Coalition
- Coalition for Elder Justice in Connecticut
- Georgia Statewide Elder Justice Initiative
- Indiana Council Against Senior Exploitation
- Maine Council for Elder Abuse Prevention
- Michigan Elder Justice Coordinating Council
- Minnesota Elder Justice Center
- Montana Elder Justice Coalition
- New York State Coalition on Elder Abuse
- North Carolina Partnership to Address Elder Abuse
- Ohio Coalition for Adult Protective Services and Ohio Elder Abuse Commission



To find out about NNSEJC, go to at [nsejc@gmail.com](mailto:nsejc@gmail.com).

**Micki Nozaki**  
Director  
California Senior Medicare Patrol

**Medicare**  
**\$800 B per year**

**Fraud & abuse**  
**\$75 B per year**

Taxpayer Costs

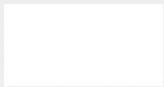
## The Human Cost

- Johns Hopkins Study (October 2019)
- 8204 patients treated by bad actors
- 296,298 patients treated by non-bad actors
- Patients treated by bad actors
  - Up to 30% more likely to experience emergency hospitalization
  - up to 17.3% more likely to die
- Exposure to bad actors contributed to 6,700 premature deaths
- Fraud and Disparities in Health Outcomes
- Victims often minority, disabled, low income

<https://jamanetwork.com/journals/jamainternalmedicine/article-abstract/2753426>

## Fake Doctors Employed

- Medical imaging company
- \$20 million healthcare fraud
- Employees misinterpret x-rays, ultrasounds
- Fail to diagnose serious conditions
- Gross malpractice cost patients their lives



# NEWS

№ 34747/53

Only fresh news

founded 1953

**Cardiologist Sentenced to 20 Years in Prison for Overbilling Medicare \$5.7 Million**

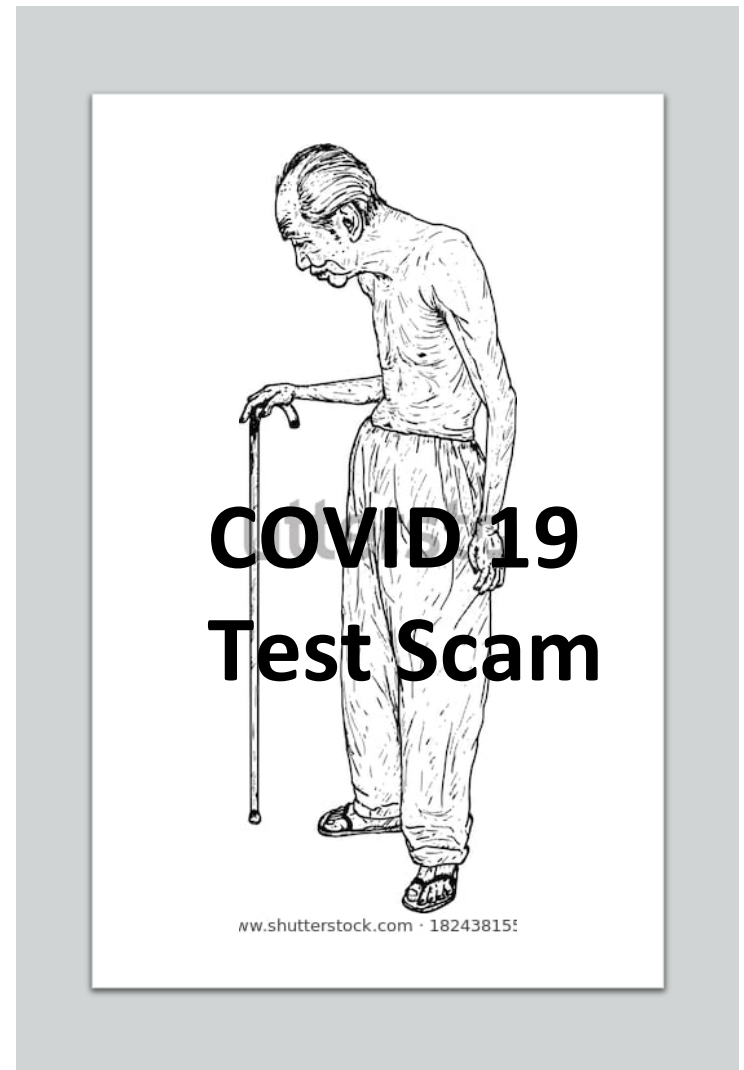
**17-year sentence for Eye Doctor in \$73 million Medicare fraud case**

**Oncologist Sentenced to 45 years in Prison**

## Current Fraud Trends

- COVID 19 Scams
- Deceptive Hospice Enrollments
- Medicare Telefraud

- COVID 19 test scams
- Marketer accosted 93 year old
- Free COVID 19 test
- Transported him to facility
- Alek's Medicare statement showed false charges:
  - \$700 labs for pneumonia, mycoplasma pneumoniae
  - \$570 ultrasound for head, neck, abdomen
  - \$200 podiatrist removal for thickened skin





## Deceptive Hospice Enrollments

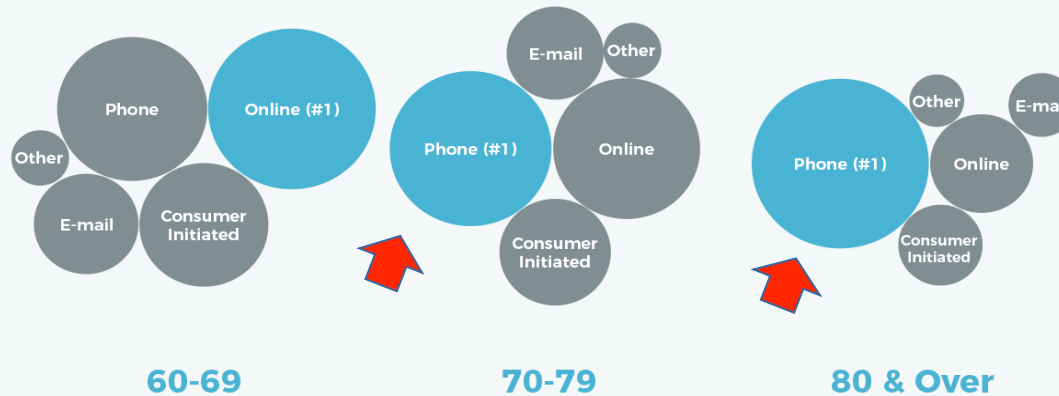
- Elderly Russian-speaking woman
  - In hospital for breast cancer surgery
  - Tricked into enrolling in hospice
  - Pharmacy denies meds for 3 ½ weeks
- 
- Combat veteran with PTSD
  - Approached while undergoing dialysis
  - Nurse came to his home
  - Denied claims
  - Charges for medical equipment

## Telehealth – Next Fraud Trend

- 52% increase Telehealth / Telemedicine
- Pandemic influences easing of coverage
  - Telehealth visit; virtual check-in; e-visit
  - No cost sharing for test
- Scammers offer telemedicine COVID 19 consults, tests
- Mary's fraud case:
  - COVID test offered by phone
  - Questionable charges on MSN
  - \$125: PA conducted **telehealth** exam, ordered COVID test
  - \$76: PA billed follow up **check-in** to review COVID test results
  - \$0: COVID test



The **phone** is the most common contact method for scammers.



Top Scam Contact Methods By Age Group

(Federal Trade Commission, 2020)

**“I do not give out personal information in an unsolicited call.”**

PARTICIPATING  
U.S. JUDICIAL DISTRICTS | **51**



2020 National Health Care Fraud

# TAKEDOWN By The Numbers

**345** Defendants Charged,  
Including

**100+** Licensed Medical  
Professionals

**51** Judicial Districts

**175** HHS-OIG Agents  
& Analysts

**\$6+** Billion in Alleged Losses

Source: DOJ and HHS OIG

## State Health Insurance Programs (SHIPs)

- National (53 programs)
- Department of Aging; Insurance Department
- HICAPs (Health Insurance Counseling and Advocacy Programs)
  - 24 covering all 58 counties
  - California Department of Aging
- Medicare, Medicare Advantage, Medigap, Prescription Drug Program
- Out of pocket costs, Low Income Subsidy, Long Term Care Insurance

# California Health Advocates

- Membership Association for HICAP Managers
- Technical support
  - Medicare enrollment, coverage
  - Long term care insurance issues
  - Fact Sheets subscription
- Training needs
  - New volunteer counselors
  - Medicare updates
- Policy, Training, Advocacy
  - NAIC representation
  - SHIP Resource Center consultant
  - Technical assistance to Congressional staff

## Medicare Fraud **Stops** with You

Report Medicare fraud to your local SMP



Each year an estimated **\$60 billion**  
is lost to Medicare fraud

Senior Medicare Patrol

855-613-7080

Fraud Presentations

Regular fraud alerts

Monthly education webinars

E-newsletter

Toll free hot line

fraudulent billing review

Referral to law enforcement

**A Story About**  
**Betty & the Medicare Health Plan**  
 MAKING THE RIGHT CHOICE

**Avoid Medicare Scams!** Each year from October 15 to December 7, Medicare offers its beneficiaries the opportunity to make changes in coverage. It's always a good idea to compare your current coverage to see which plan fits best during Open Enrollment. For free, unbiased Medicare counseling, call the Health Insurance Counseling and Advocacy Program (HICAP) at 1-800-454-0222.

Medicare plans must follow rules when they market plans. They cannot:

- Pressure you to join their plan by saying things like "you have to join this plan or you won't have coverage next year!"
- Come to your home uninvited.
- Send you unsolicited emails or harass you by telephone.
- Offer you cash or groceries to join their health plan.
- Sell you a non-health-related product like an annuity or life insurance policy.
- Sign a health plan enrollment form for you.

If you decide to switch health plans:

- You should make sure that the doctors you want to continue to see will accept your new plan.
- You should make sure that the medications you have been prescribed are included in the new plan's formulary.

**Senior Medicare Patrol** empowers people like you to become self-advocates and report Medicare fraud or marketing violations. Call our SMP helpline at 1-855-613-7080.

**Avoid Medicare Fraud & Scams!** Never give your MEDICARE NUMBER to a stranger or to anyone you don't trust!

To report fraud call Senior Medicare Patrol: (855) 613-7080

California Senior Medicare Patrol  
 #SMP  
 www.cahealthadvocates.org

[www.cahealthadvocates.org](http://www.cahealthadvocates.org)

**COVID 19 Scams and Healthcare Fraud  
 Self Defense Tips**

- Don't give your Medicare number to anyone over the phone or to door to door solicitors offering to test for the Coronavirus COVID 19
- Beware of door to door solicitors, robocalls selling virus test kits, supplies, vaccines or treatments
- Do not give out your Medicare number, social security number or other personal information in response to unsolicited emails, calls, texts, home visits or booths at health fairs
- Know that Medicare will never call you for your Medicare # or Social Security #
- Watch out for fraudulent cures, therapies - Check with [www.ftc.gov](http://www.ftc.gov)
- Ignore offers for vaccines and scam contact tracing calls
- Watch out for phishing emails, texts claiming to be from experts
- Hang up on robocalls
- Carefully research charities, investment opportunities [www.charitynavigator](http://www.charitynavigator)
- Be cautious when ordering medical supplies
  - o Do not give your Medicare # to strangers
  - o Ask your own doctor to assess your condition and prescribe equipment
  - o Refuse equipment, supplies received from unknown source
- Beware telemarketers selling health plans
  - o Insurance companies with no former relationship can't initiate a call
  - o Contact HICAP/SHIP for unbiased, free information about Medicare, MA plans
- Verify telehealth appointments with your own doctor
- Review medical statements for errors, fraudulent billing
  - o Check for date of service; provider name; service description
- Keep current with Medicare, COVID 19 scams and healthcare fraud ([www.cahealthadvocates.org](http://www.cahealthadvocates.org))
- Report fraud to Senior Medicare Patrol – 855-613-7080



**Hospice Fraud Alert**  
 2019

**CALIFORNIA SENIOR MEDICARE PATROL WARNING!**

**Beware of Fraudulent Hospice Enrollments**

Individuals promoting hospice enrollment for Medicare beneficiaries who are not terminally ill through cold calls, meetings and educational sessions could be using the hospice benefit to commit Medicare fraud and abuse.

**855-613-7080**

For additional information on healthcare fraud, visit [cahealthadvocates.org](http://cahealthadvocates.org)

California **SMP** Senior Medicare Patrol  
 Empowering seniors To Prevent Healthcare Fraud

Find additional details on this fraud alert on the reverse side.



## Healthcare Fraud is Rampant

- Government healthcare losses in the \$ \$Billions
- Patient safety, health and welfare in jeopardy
- We play catch up with criminals and scammers
- Education and awareness are imperatives
- Minority, disabled, low income are victims
- Together we can do so much

# *Questions?*

*Please use the “Q&A” feature at the bottom of your screen to submit your questions.*

# Contact Us

## California Senior Medicare Patrol

[www.cahealthadvocates.org](http://www.cahealthadvocates.org)

[www.cahealthadvocates.org/fraud-abuse](http://www.cahealthadvocates.org/fraud-abuse)

[mnozaki@cahealthadvocates.org](mailto:mnozaki@cahealthadvocates.org)

## California Elder Justice Coalition (CEJC)

*Send us a message on our website and/or request to be added to our mailing list: **[www.elderjusticecal.org/contact-us.html](http://www.elderjusticecal.org/contact-us.html)***

*Become a member: **[www.elderjusticecal.org/join-us.html](http://www.elderjusticecal.org/join-us.html)***

*Follow CEJC on Twitter: **@elderjusticecal***

HICAPs California 800-434-0222

SHIPs (outside California) [www.shiptacenter.org](http://www.shiptacenter.org)