

Title: Protecting Your School District From Whistleblowers, Medicaid Auditors and Other Governmental Regulators

Who Should Participate?

School Board Members
Superintendents
Fiscal Officers

Description of Session:

Recent events, regulatory changes, and government enforcement actions have occurred in the Medicaid-funded School Supportive Health Services Program (SSHSP). It is important that school districts are informed of the significance of these events and related risks.

This session will address the recent events described below, the significance to school districts and any associated risks:

- **New Regulations Affect All Providers**

New State regulations, NYCRR Title 18 Part 521, **effective July 1, 2009**, require providers who claim or receive at least \$500,000 in any consecutive twelve-month period directly or indirectly from Medicaid to adopt and implement an effective Compliance Program.

- **New York's Settlement of Whistleblower Case Has Rippling Effects**

On July 20, 2009, a longstanding Whistleblower False Claims case was settled by the US Department of Justice and New York (City and State). In addition to a recoupment of \$539 million, providers of SSHSP will be subject to Medicaid audits with potential for significant paybacks, increased scrutiny from government oversight agencies, and increased requirements for training and documentation.

- **Claims for SSHSP Services On Hold**

On July 30, 2009, the New York State Education Department (SED) and Department of Health (DOH) suspended submission of all claims for SSHSP services pending a new State Plan Amendment and regulatory changes.

What will Attendees Learn?

- Trends in the current regulatory environment, including recent audit activity,
- The effects of the recent Whistleblower settlement on school district activities
- An understanding of Corporate Compliance and government's expectations for an effective Compliance Program
- The role of the governing body and senior administration in a Compliance Program
- Methods to protect your district from "fraud" as viewed by government regulators

Benefits to Attendees:

- Better understanding of School Board's responsibilities relative to Medicaid compliance
- Better able to direct the school district towards the implementation of an effective Compliance Program
- Better informed and able to evaluate the risks to the school district relative to Medicaid funding