

**Tim Hill's Hearing on
"Medicaid Personal Care Services"
E&C O&I
May 2, 2017**

Attachment Additional Questions for the Record

The Honorable Tim Murphy

1. OIG's investigations found that the most common fraud schemes involve conspiracies between PCS attendants and beneficiaries - "OIG has found a growing number of instances in which beneficiaries are being changed as co conspirators because they accept cash or other benefits in exchange for participating in the fraud." These cases appear to be especially relevant when PCS attendants are close with or even related to beneficiaries. Do you agree that beneficiary fraud is a growing problem, and that beneficiaries' close relationships to their attendants can be a potential cause of that problem?

a. What are some ways in which CMS can prevent beneficiary fraud?

Answer: CMS has taken a number of actions to improve the Medicaid PCS program and to close recommendations made by the OIG. We take oversight of state PCS programs seriously and have conducted program integrity reviews, as well as provided states with guidance, training and other educational resources to enhance their oversight of PCS in their states. As you know, under the Medicaid Federal-state partnership, the Federal Government sets forth a policy framework for the program and States, who are well-positioned to know what their residents need, have significant flexibility to choose options that enable them to deliver high-quality, cost-efficient care for their residents.

CMS recognizes the unique and intimate nature of personal care services, and supports states offering self-direction options to beneficiaries to exercise more control over who provides those services to them. Many self-direction programs permit beneficiaries to select family members as care providers, and CMS and our state partners understand the necessity of ensuring appropriate fraud prevention measures are utilized in these programs.

CMS has also released a request for information to solicit feedback on improvements that could be made to personal care services, including what program integrity safeguards states should have in place to reduce fraud, waste and abuse.¹ We received hundreds of responses and are now reviewing them to determine the best path forward.

¹ <https://www.federalregister.gov/documents/2016/11/09/2016-27040/medicaid-program-request-for-information-rfi-federal-government-interventions-to-ensure-the>