The Ohio Medicaid Fraud Control Unit

Greg Haines
Chief Special Agent


THE SEAL OF THE ATTORNEY GENERAL OF OHIO

OHIO MFCU



Our Mission

- Protect Ohio's financial investment in healthcare
- Protect the rights and dignity of Ohio's most vulnerable citizens
- Bring to justice those who take advantage of the Medicaid program and Ohio's most vulnerable citizens

How did we get here?

- Social Security Act of 1965
- 1977 Anti-Fraud and Abuse Amendment
- 1978 - Ohio MFCU created
- HHS/OIG grant funded
- Jurisdiction – Fraud and Patient Abuse





MFCU Composition

Agents
AAGs
SAS

Nurse Analysts

3 Abuse Teams
6 Fraud Teams
Intake
Special Projects

Health Oversight Agency
HIPAA Exempt
Original Criminal
Jurisdiction

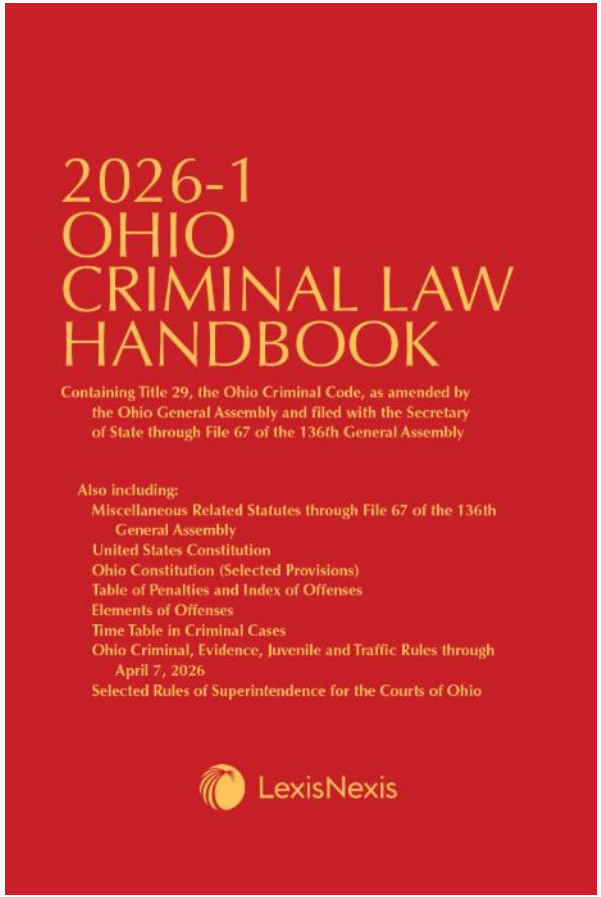
Operations

- Caseload
  - Approx. 1,000 active cases
  - Referral driven
- Columbus based
- Prosecution – venue
- Collaboration
  - State Agencies (ODM, AOS, Boards)
  - Federal Agencies

Partnerships



MEDICAID FRAUD

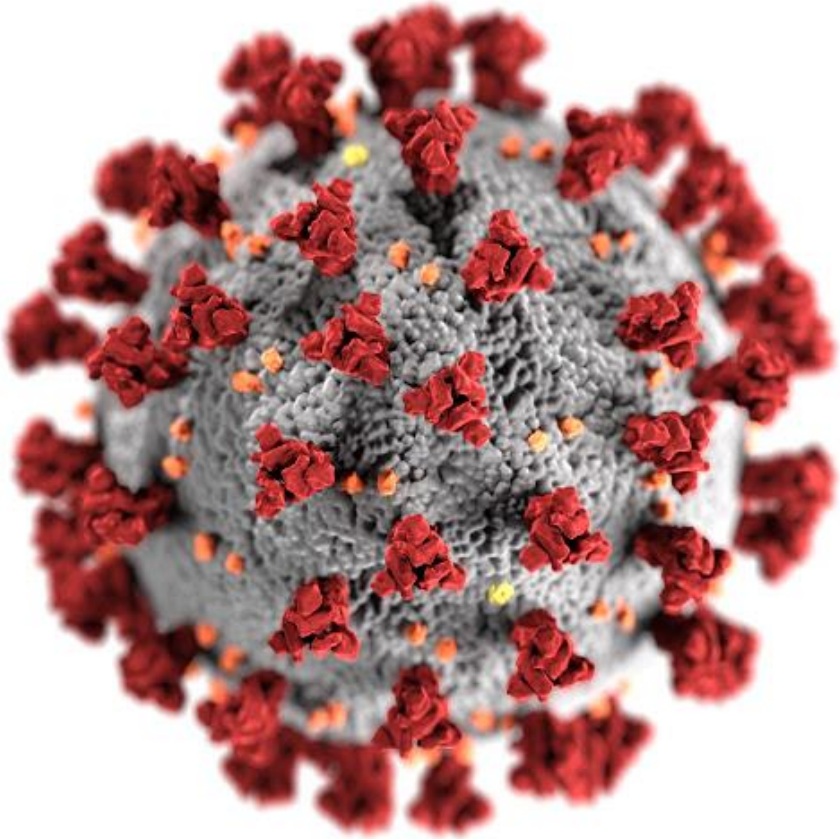


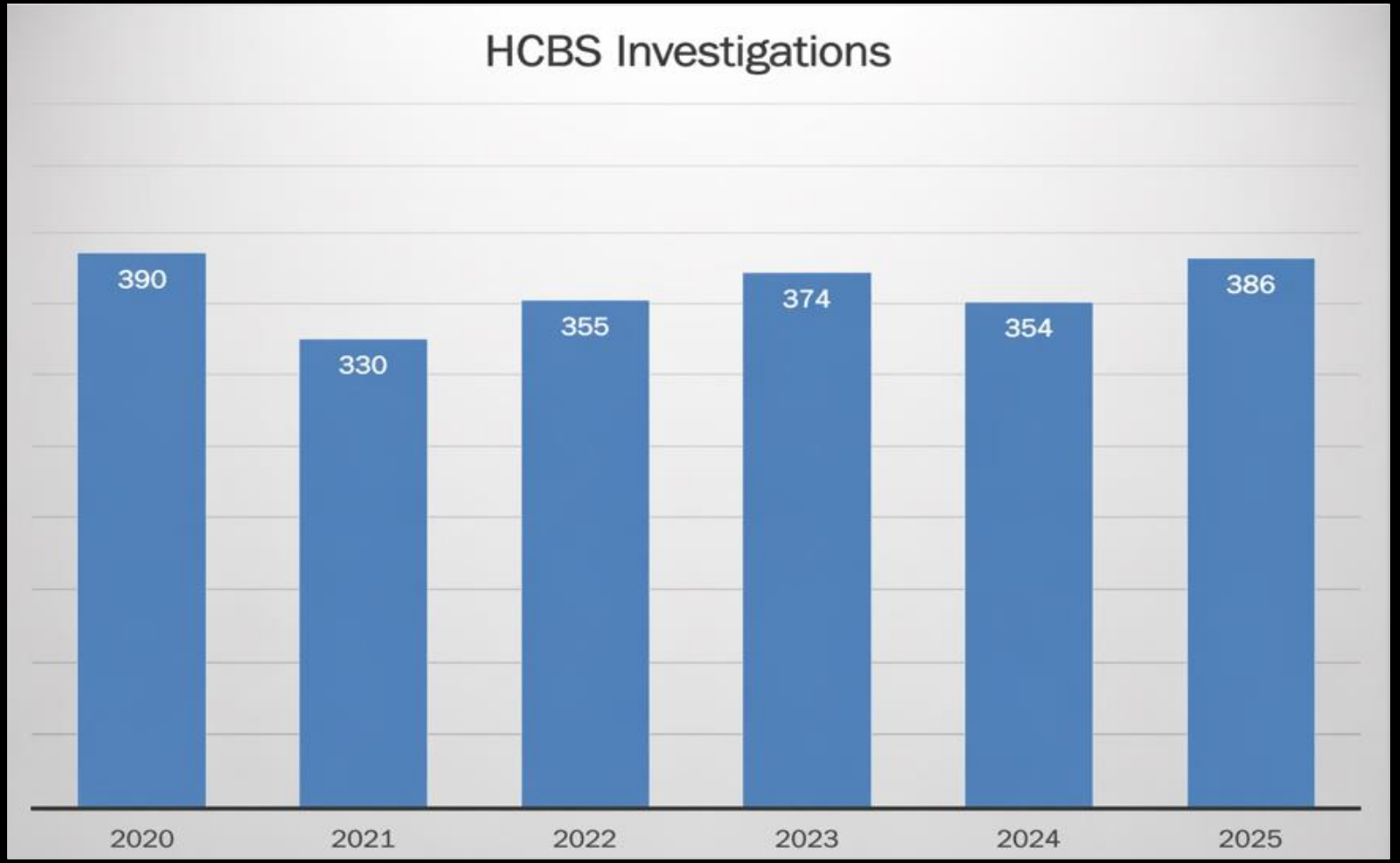
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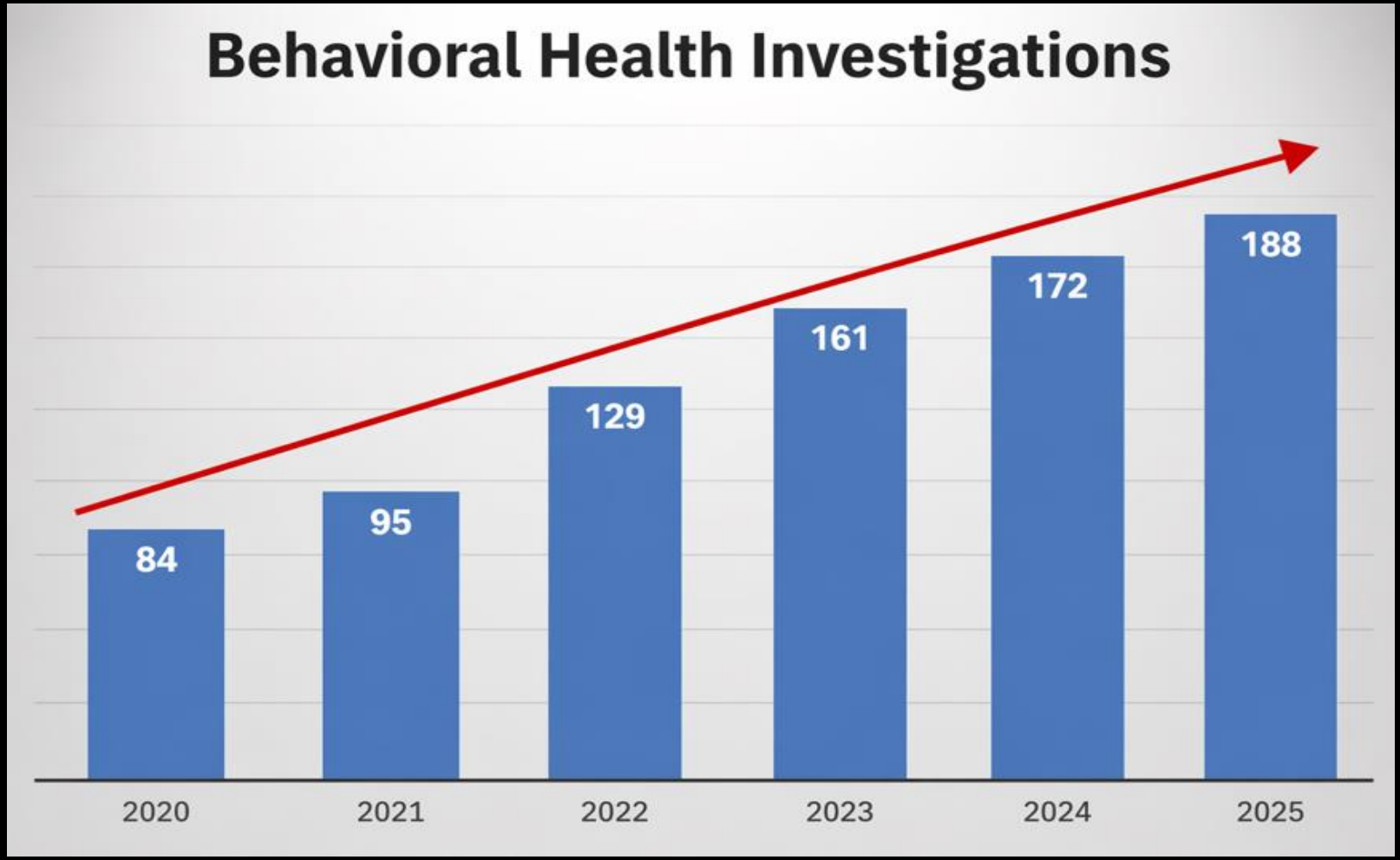
“No person shall knowingly make or cause to be made a false or misleading statement or representation for use in obtaining reimbursement from the medical assistance program.”

- Goods/services not rendered
- “Phantom” patients
- Double billing
- Up-coding
- Unbundling
- Medically unnecessary goods/services
- Non-covered goods/services
- Kickbacks


EMERGING TRENDS




HCBS Investigations
390
330
355
374
354
386
2020
2021
2022
2023
2024
2025


Behavioral Health Investigations
84
95
129
161
172
188
2020
2021
2022
2023
2024
2025

Case Study: GL Tate & Associates





- An outpatient substance use disorder treatment center
- Owned by Geron L. Tate
- Entered into a Provider Agreement with ODM on 6/23/15 to provide drug counseling and treatment services to Ohio Medicaid Recipients

MFCU Fraud Investigation

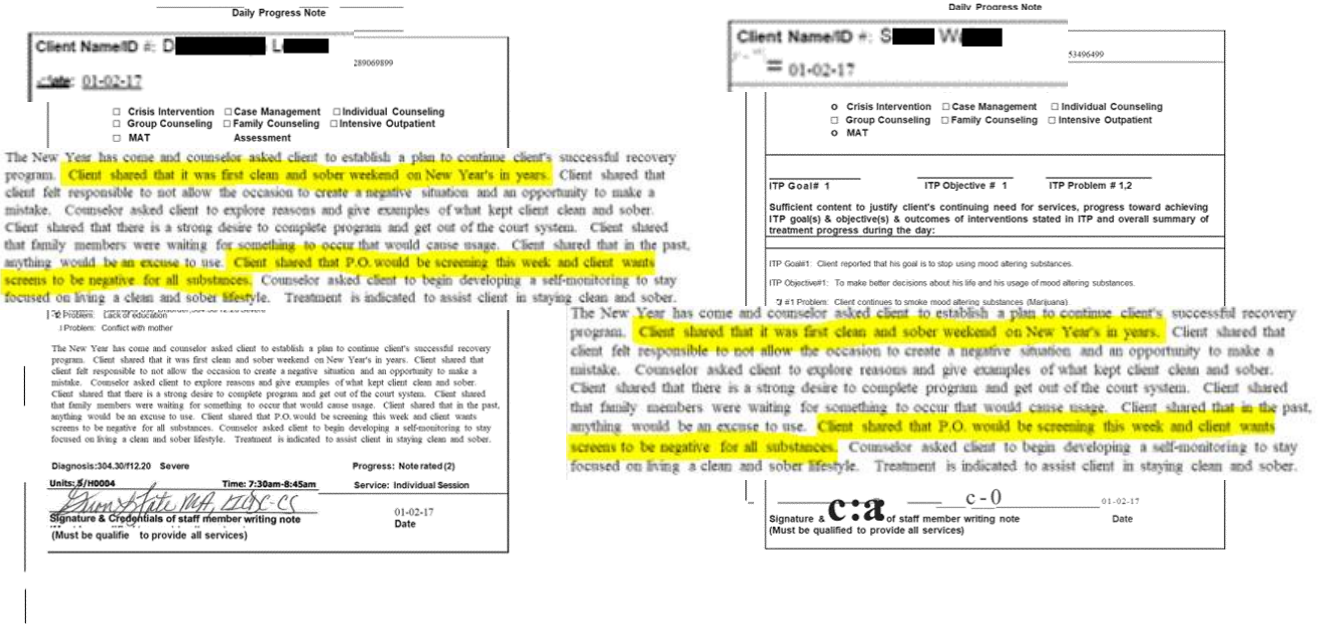
- Referral received from Dept. of Behavioral Health (OMHAS)
- Local mental health board reported questionable issues with the GL Tate & Associates
- During survey, located overlapping times on session notes
- Located notes for counseling sessions for individuals known to be incarcerated and juveniles classified as “runaways”
- Over $4M billed to Medicaid in previous four years
- MFCU opened a criminal investigation

Areas of Investigation

- Recipient interviews – most stated they never received the counseling billed
- Travel records – numerous out of state travel dates
- Billing over 16-hour days – confirmed only counselor working was Geron Tate

Duplicate Recipient Notes

(Numerous dates and recipients)



Daily Progress Note

Client Name/ID #: D[redacted] L[redacted] 289069899

Date: 01-02-17

☐ Crisis Intervention ☐ Case Management ☐ Individual Counseling
☐ Group Counseling ☐ Family Counseling ☐ Intensive Outpatient
☐ MAT Assessment

The New Year has come and counselor asked client to establish a plan to continue client's successful recovery program. Client shared that it was first clean and sober weekend on New Year's in years. Client shared that client felt responsible to not allow the occasion to create a negative situation and an opportunity to make a mistake. Counselor asked client to explore reasons and give examples of what kept client clean and sober. Client shared that there is a strong desire to complete program and get out of the court system. Client shared that family members were waiting for something to occur that would cause usage. Client shared that in the past, anything would be an excuse to use. Client shared that P.O. would be screening this week and client wants screens to be negative for all substances. Counselor asked client to begin developing a self-monitoring to stay focused on living a clean and sober lifestyle. Treatment is indicated to assist client in staying clean and sober.

Problem: Lack of education

Problem: Conflict with mother

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Diagnosis:304.30/f12.20 Severe Progress: Note rated (2)

Units: 5/H0004 Time: 7:30am-8:45am Service: Individual Session

Signature & Credentials of staff member writing note (Must be qualifie to provide all services) 01-02-17 Date

Daily Progress Note

Client Name/ID #: S[redacted] W[redacted] 53496499

= 01-02-17

o Crisis Intervention ☐ Case Management ☐ Individual Counseling
☐ Group Counseling ☐ Family Counseling ☐ Intensive Outpatient
o MAT

ITP Goal# 1 ITP Objective # 1 ITP Problem # 1,2

Sufficient content to justify client's continuing need for services, progress toward achieving ITP goal(s) & objective(s) & outcomes of interventions stated in ITP and overall summary of treatment progress during the day:

ITP Goal#1: Client reported that his goal is to stop using mood altering substances.

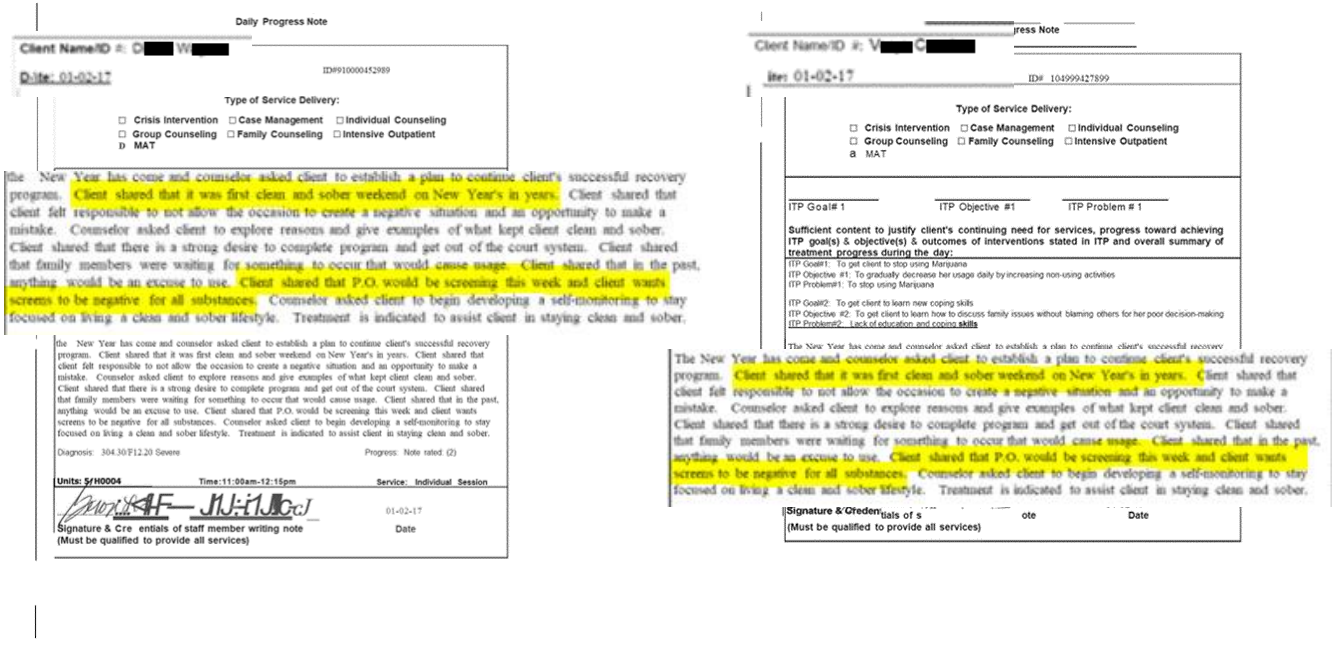
ITP Objective#1: To make better decisions about his life and his usage of mood altering substances.

ITP #1 Problem: Client continues to smoke mood altering substances (Marijuana).

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Signature & of staff member writing note (Must be qualified to provide all services) 01-02-17 Date



Daily Progress Note

Client Name/ID #: D[redacted] W[redacted]

Date: 01-02-17

ID#910000452989

Type of Service Delivery:

☐ Crisis Intervention ☐ Case Management ☐ Individual Counseling
☐ Group Counseling ☐ Family Counseling ☐ Intensive Outpatient
D MAT

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Diagnosis: 304.30/F12.20 Severe

Progress: Note rated: (2)

Units: 5/H0004 Time:11:00am-12:15pm Service: Individual Session

Signature & Credentials of staff member writing note
(Must be qualified to provide all services)

01-02-17
Date

[redacted]ress Note

Client Name/ID #: V[redacted] C[redacted]

ite: 01-02-17

ID# 104999427899

Type of Service Delivery:

☐ Crisis Intervention ☐ Case Management ☐ Individual Counseling
☐ Group Counseling ☐ Family Counseling ☐ Intensive Outpatient
a MAT

ITP Goal# 1 ITP Objective #1 ITP Problem # 1

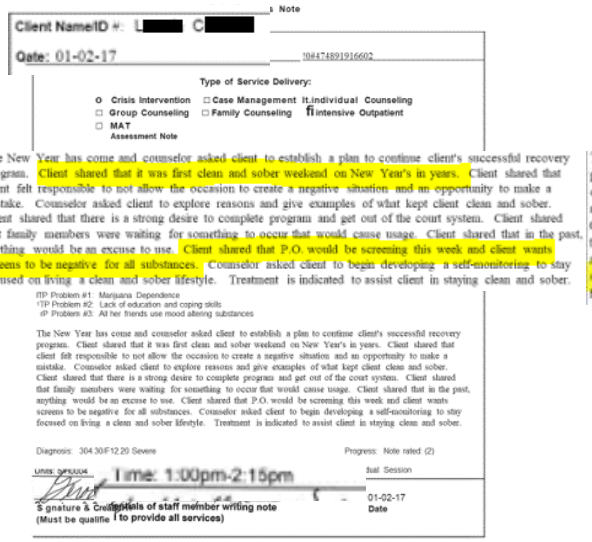
Sufficient content to justify client's continuing need for services, progress toward achieving ITP goal(s) & objective(s) & outcomes of interventions stated in ITP and overall summary of treatment progress during the day:

ITP Goal#1: To get client to stop using Marijuana
ITP Objective #1: To gradually decrease her usage daily by increasing non-using activities
ITP Problem#1: To stop using Marijuana

ITP Goal#2: To get client to learn new coping skills
ITP Objective #2: To get client to learn how to discuss family issues without blaming others for her poor decision-making
ITP Problem#2: Lack of education and coping skills

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Signature & Credentials of s ote Date
(Must be qualified to provide all services)



s Note

Client Name/ID #: L[redacted] C[redacted]

Date: 01-02-17 104474891916602

Type of Service Delivery:

O Crisis Intervention ☐ Case Management It.individual Counseling
☐ Group Counseling ☐ Family Counseling fi Intensive Outpatient
☐ MAT
Assessment Note

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ITP Problem #1: Marijuana Dependence
ITP Problem #2: Lack of education and coping skills
ITP Problem #3: All her friends use mood altering substances

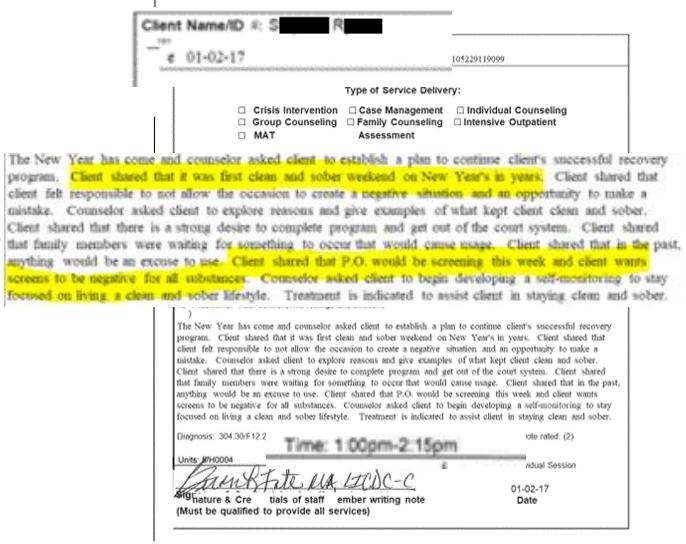
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Units: 3H0004 Time: 1:00pm-2:15pm tual Session

S gnature & Creentials of staff member writing note
(Must be qualifie l to provide all services)

01-02-17
Date



Client Name/ID #: S[redacted] R[redacted]

e 01-02-17 105229119099

Type of Service Delivery:

☐ Crisis Intervention ☐ Case Management ☐ Individual Counseling
☐ Group Counseling ☐ Family Counseling ☐ Intensive Outpatient
☐ MAT Assessment

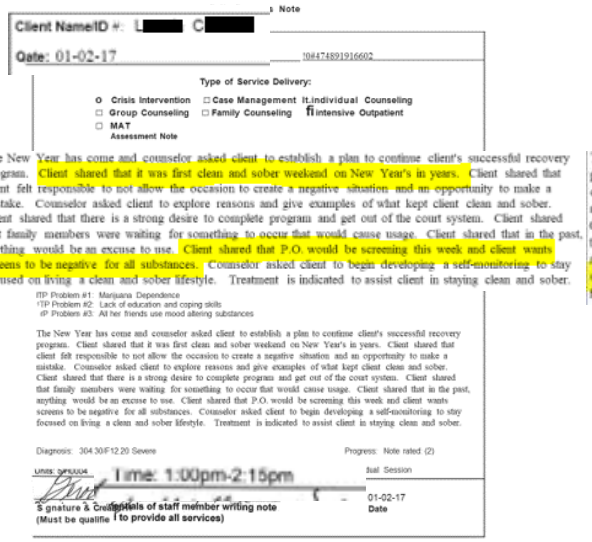
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Diagnosis: 304.30/F12.2 ote rated: (2)

Units: 3H0004 Time: 1:00pm-2:15pm dual Session

Signature & Cre tials of staff ember writing note
(Must be qualified to provide all services)

01-02-17
Date



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Client Name/ID #: L[redacted] C[redacted]

Date: 01-02-17 104474891916602

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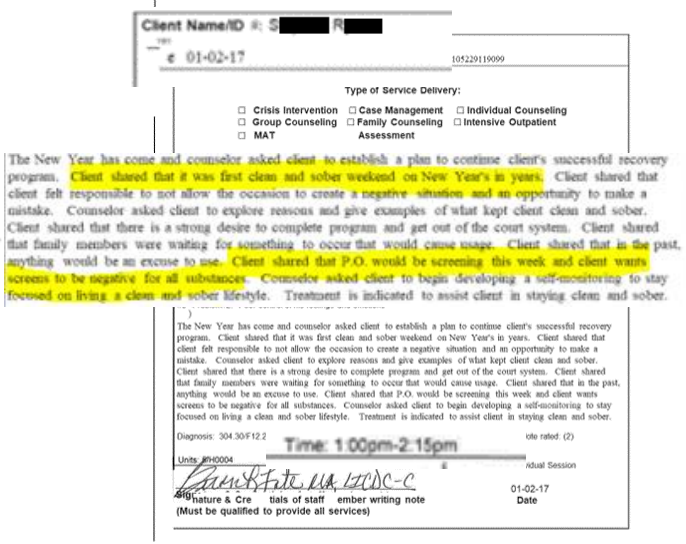
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Date



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01-02-17
Date


ST REGIS
HOTELS & RESORTS


Tropicana
LAS VEGAS


MGM GRAND


BOOMTOWN
CASINO ★ HOTEL
NEW ORLEANS


UNITED


HOLLYWOOD
Casino

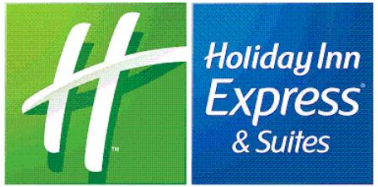

enterprise
rent-a-car


American Airlines


Live!
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MARYLAND


THE MEADOWS
CASINO • RACETRACK • HOTEL


DELTA


Holiday Inn
Express
& Suites


Hampton
by HILTON


GREEKTOWN
CASINO–HOTEL


spirit


Southwest


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WELCOME
BACK!
D3 306



Wise has Lady Lex going for gold at state cross country meet

SPORTS, 1B

News Journal

FRIDAY, NOVEMBER 4, 2022 | MANSFIELD, OHIO | MANSFIELDNEWSJOURNAL.COM

PART OF THE USA TODAY NETWORK

DAILY DISCOUNTS & SAVINGS — Dining Deals USA PAGE 2A

New school dedicated

Around 100 people turned up for ceremony in Shelby

Mark Caudill

Mansfield News Journal | USA TODAY NETWORK

SHELBY — It was a night to celebrate.

Shelby City Schools held a dedication ceremony on Wednesday night for the new Pre-K-8 building. About 100 people, including a number of dignitaries, turned out for the festivities, which included self-guided tours.

Superintendent Tim Tarvin, who recently announced he would be retiring at the end of this school year, welcomed the crowd.

Noting he was a social studies teacher before he became an administrator, Tarvin gave a four-year history lesson of how the new school came to be.

It didn't look promising after residents turned down three bond issues in a 12-month span.

Shelby City Schools partnered with OFCC on project

The project stayed alive when the board of education voted in 2019 to participate in the Ohio Facilities Construction Commission Classroom Facilities Assistance Program.

The state would provide money for the construction of the new $38.5 million school as long as the district came up with a local match. Residents were not taxed and did not pay any money toward the construction project. The majority of the local match came from River Pipeline revenue.

In 2019, the board hired Garmann Miller as the architect and the Adena Corp. to handle the construction. A groundbreaking ceremony was held on Oct. 23, 2020.

"Two years later, here we sit," Tarvin said.

He credited the board of education, which "has always been supportive of whatever is in the best interest of the kids."

Tarvin recognized former superintendents Steve Bell and Bryan Neff and thanked teachers and staff before naming a number of people who contributed to the project.

He singled out Scott Harvey, the district's building and grounds supervisor, for his "loyalty, perseverance and dedication to excellence."

Paul Walker, assistant superintendent and curriculum director, was tasked with coming up with manipulating the 105,000 square feet of space for a facility that houses 1,350

See SCHOOL, Page 5A

Hotel project OK'd

Ontario Planning Commission sends application to council

Lou Whitmire

Mansfield News Journal | USA TODAY NETWORK

The Ontario Planning Commission voted Tuesday to approve and send to Ontario Council the application for a new 120-unit hotel, restaurant, office and residential housing units on Walker Lake Road.

After some discussion and a few changes, commission members voted 4-0 to recommend the application for the project to council.

Council on Wednesday, Nov. 2, will announce the date of a public hearing on the proposed project. Council will hold the matter to a first reading at its regular meeting at 7 p.m. Nov. 16 and the matter will be held to three read-

See PROJECT, Page 2A

Tate sentenced to 6 years

Geron Tate was taken into custody after being sentenced to six years in prison for stealing over $1.5 million from Ohio's Medicare system. JASON J. MOUNTS/NEWS JOURNAL

CEO made $1.5 million in fraudulent claims

Mark Caudill

Mansfield News Journal | USA TODAY NETWORK

Geron Tate defrauded Medicaid almost daily for six years, blaming a gambling addiction he called a "demonic spirit."

Tate, 66, was sentenced Wednesday to six years in prison in Richland County Common Pleas Court for aggravated theft and Medicaid fraud. He committed the crimes as president and CEO of G. Tate and Associates, an outpatient drug and alcohol treatment organization.

In September, Tate pleaded guilty to a bill of information, meaning his case would not be presented to a grand jury for consideration.

He agreed to pay back $1,572,386.23. The time frame for both offenses was June 30, 2015, to July 22, 2022.

The case was handled by the Medicaid fraud unit of the Ohio Attorney General's Office. Three special agents spent more than 1,000 hours on the investigation.

"He used his business as his own personal ATM machine," said Brian Walker, principal assistant prosecutor with the attorney general's office. "He did it to enrich himself. He lavish lifestyle, the trips, the gambling."

Walker called the fraud "massive on a grand scale" and said it started almost immediately.

PowerPoint presentation details crimes

In recommending a significant prison sentence, Walker showed a detailed PowerPoint presentation to Common Pleas Judge Brent Robinson.

Medicaid is a federal health care benefits program for people with low incomes. It is administered by the state.

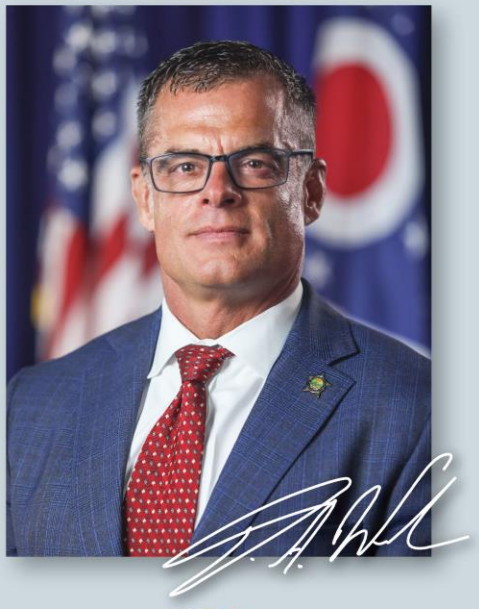
Tate turned in claims for services not rendered. During Wednesday's hearing,

See TATE, Page 5A

- Bill of Information filed
- Pled guilty to Agg. Theft (F2) AND Medicaid Fraud (F3)
- $1.5M restitution
- 6 years ODRC

What to Look For and Report

- Billing for services not provided – EOBs?
- Falsified or altered records (notes, signatures, timesheets, etc.)
- Patterns suggesting fraud (no off days, excessive hours, dishonesty, etc.)
- Client, caregiver, or staff statements raising concern of fraud



ANDY
WILSON
OHIO ATTORNEY GENERAL

How to contact us

Ohio Attorney General's Office

Health Care Fraud Section

30 E. Broad St., 23rd Floor
Columbus, OH 43215

Hotline: **614.466.0722**
www.OhioAttorneyGeneral.gov