

## OIG UPDATES WORK PLAN TO ANALYZE COVID-19 CHALLENGES

*July 1, 2020*

The Office of Inspector General (“OIG”) Work Plan (“Work Plan”) provides the public with an understanding of various projects that are underway or planned to be addressed by different agencies including the Centers for Medicare & Medicaid Services (“CMS”), Centers for Disease Control and Prevention, National Institutes of Health, and areas of the Office of the Secretary of Health & Human Services. OIG releases monthly updates to its public-facing Work Plan in order to make adjustments, meet priorities, and anticipate and respond to emerging issues. The most recent Work Plan updates include various programs to help review and understand the challenges and effects of COVID-19.

### MEDICARE DATA REVIEW

Because COVID-19 hotspots rapidly increase demand for hospital resources, the result has been a disproportionate effect on Medicare beneficiaries. CMS is using Medicare claims data to analyze the effects of COVID-19 on hospitalized Medicare beneficiaries and the hospital resources needed to care for these patients. The purpose of the review is to analyze utilization of the treatments provided and paid for by Medicare patients, and how this utilization has changed over time. The expected issue date of this report is in 2020.

### MEDICARE LABORATORY BILLING REVIEW

When a COVID-19 test is sent to a diagnostic laboratory for testing, laboratories can also perform add-on tests to rule out other diagnoses. In fact, CMS has relaxed rules related to COVID-19 testing and other associated diagnostic laboratory testing during the public health emergency to no longer require an order from a treating physician or nonphysician practitioner. OIG has concerns related to potentially fraudulent billing as a result of add-on tests. The purpose of this review is to examine Medicare claims data to identify trends in the use of respiratory pathogen panel tests, allergy tests, or genetic tests that may indicate fraud and abuse. The expected issue date of this report is in 2021.

### MEDICAID TELEHEALTH EXPANSION REVIEW

During the public health emergency, state Medicaid programs expanded options for telehealth services resulting in challenges with state oversight. This review will allow CMS to determine whether state agencies and providers complied with federal and state requirements for telehealth services under the national emergency declaration, and whether the states gave providers adequate guidance on telehealth requirements. The expected issue date of this report is in 2021.

## REVIEW OF CHALLENGES POSED TO NURSING HOMES AND REPORTING OF INFORMATION

COVID-19 has caused a disproportionate effect on nursing homes including an increased need to obtain supplies, test residents and staff, isolate large numbers of contagious individuals, care for the affected, and protect staff. CMS is completing a two-part study on nursing homes to (i) describe the characteristics of nursing homes that were the most affected by COVID-19 and (ii) describe the strategies nursing homes have used to mitigate the effects of COVID-19 on their residents and staff. The expected issue date of this report is in 2021.

A separate analysis will review the new requirement that nursing home facilities must report COVID-19 data to the Centers for Disease Control and Prevention through its National Healthcare Safety Network system at least weekly. The purpose of the analysis is to assess nursing homes' reporting of CMS-required information and whether the data was completed, accurate, and reliable. The expected issue date of this report is in 2021.

## REVIEW OF OPIOID TREATMENT PROGRAM CHALLENGES

The Substance Abuse and Mental Health Services Administration seeks to identify challenges that opioid treatment programs are encountering during the COVID-19 pandemic such as due to stay at home and social distancing orders. The review will also identify the actions that opioid treatment programs are taking to ensure the continuity of needed services and protect the health and safety of their clients and staff during the public health emergency. The expected issue date of this report is 2020.

## ANALYSIS

This research will help providers continue to respond to the effects of COVID-19 as well as to plan for the possibility of additional increases in demand for resources. In particular, this research through the Work Plan will help set forth best practices in responding to the unprecedented challenges presented by the public health emergency. For questions regarding the Work Plan or how to implement the results into your practice, please contact a member of Hancock Daniel's [COVID-19 Task Force](#).

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