

False Claims Act Policy

St. Lawrence NYSARC and our employees and contractors are required to comply with the Federal False Claims Act (31 U.S.C. 3729 et seq.) and any New York State false claims laws. One of the primary purposes of false claims laws is to combat fraud and abuse in government health care programs. False claims laws do this by making it possible for the government or individuals acting on behalf of the government to bring civil actions to recover damages and penalties when healthcare providers submit false claims.

Examples of fraud or false claims including but are not limited to, misrepresenting services which were rendered, providing inadequate or sub-standard care, falsely certifying that services were medically necessary, "up-coding", billing for services not actually rendered or duplicate billing, making false statements to governmental agencies about St. Lawrence NYSARC compliance with any state or federal rules, making false statements concerning the condition or operation of St. Lawrence NYSARC programs for which certification is required; charging rates in excess of applicable federal or state health care program established rates; repeatedly violating the terms of a participating provider agreement, and failing to refund over payments made by federal or state health care program.

Under the Federal False Claims Act, any person or entity that knowingly submits a false or fraudulent claim for payment by the government is liable for significant penalties and fines (from \$10,781 to \$21,563 per false claim, damages up to three times the amount of the erroneous payment, and the costs of the civil action against the entity that submitted the false claims).

As an employee of St. Lawrence NYSARC, you are acting in the capacity of an agent for the organization. Therefore, you are required to truthfully report your time worked and what you have worked on, including such documents as time sheets, mileage reimbursement forms, billing and progress notes, and other Agency documentation. Any St. Lawrence NYSARC employee, agent or contractor who is found to have misrepresented information on Agency documentation or violated our service delivery or billing practices can be terminated from employment and possibly subject to criminal prosecution. As an employee, you will be required to accept educational information offered by the agency and participate in scheduled training on the False Claims Act and other Corporate Compliance topics as determined by St. Lawrence NYSARC.

You have an additional responsibility as a St. Lawrence NYSARC employee to report any event of fraud, waste, and/or abuse that you suspect or have witnessed. To report fraud, waste and/or abuse, please speak with your supervisor, contact the agency Corporate Compliance Officer, or call the St. Lawrence NYSARC Compliance Helpline (315-379-0340) to make a report. You may also bring a civil action on behalf of the United States Government to recover funds paid by the Government as a result of false claims. St. Lawrence NYSARC will not retaliate against any employee for participating in any legally protected whistleblower activities including but not limited to reporting false claims.

When a report of a potential False Claims Act violation has been made, or an incident has been discovered, the Corporate Compliance Officer will initiate an investigation. The investigation may consist of a documentation review and a set of interviews with appropriate parties to determine whether a St. Lawrence NYSARC policy or government regulation has been violated. Based upon the findings, the outcome of the investigation may be that the charge is not sustained, disciplinary action is imposed, employees are retrained, relevant billings are voided, Agency policies and/or procedures are modified, and/or violations are reported to a government entity.

Please contact the Compliance Officer for a copy of St. Lawrence NYSARC's complete policy on the False Claims Act.