

**ALCOHOL, DRUG ADDICTION AND MENTAL HEALTH SERVICES
BOARD OF CUYAHOGA COUNTY (ADAMHS BOARD)**

POLICY STATEMENT

SUBJECT: EDUCATION ABOUT FALSE CLAIMS RECOVERY

EFFECTIVE DATE: February 6, 2019

Purpose: To provide information about the role of certain federal and state laws in preventing and detecting fraud, waste, and abuse and to provide education about protections provided by these laws.

Scope: This policy applies to all employees (including management), contractors¹, consultants, Board Members and agents of the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County (ADAMHS Board).

POLICY

It is the policy of the ADAMHS Board to comply with all applicable federal and state laws and regulations. To further this policy and to comply with Section 6032 of the Deficit Reduction Act of 2005, the ADAMHS Board has provided the following information as attachments:

- An Ohio Department of Job and Family Services' (ODJFS) document titled "Ohio Health Plan's Procedures for Detecting Fraud, Waste and Abuse"; and,
- An Ohio Department of Job and Family Services' document titled "State and Federal False Claims Act and Whistleblower Protections".

All employees (including management), contractors, consultants, Board of Directors and agents of the ADAMHS Board are afforded federal protection under the Federal False Claims Act (31 U.S.C sections 3729 – 3733). This act permits private citizens to sue, for civil damages, anyone who has submitted a false claim to Ohio's Medicaid program.

There are also Ohio state laws in existence which regulate the filing of false claims for Medicaid payment such as ORC §5164.35.

The ADAMHS Board does not provide direct services to Medicaid eligible consumers but there may be instances where, through performance of your professional duties, you may become aware of potential or alleged Medicaid fraud. If this occurs, the following actions should be taken:

1. If you are dealing directly with someone either in person, by telephone or through e-mail, inform them that they are responsible for determining whether or not to report their information to the Ohio Attorney General's (OAG) office, Medicaid Fraud Control Unit (MFCU).

¹ "Contractor" does not include service provider contractors for behavioral health services. Those service provider contractors are required to implement their own policy.

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2. Inform them they may file a report/allegation electronically through accessing the OAG website: www.ag.state.oh.us
3. As soon as possible, informs the Chief Executive Officer of the ADAMHS Board of the details (who you were in contact with, their allegations, and information you shared with them and, if you know whether the OAG is being contacted.)

Note: The ADAMHS Board is not authorized by ODJFS to specifically promulgate/implement policies and procedures for detecting and preventing fraud waste and abuse for the Medicaid program. ODJFS holds that primary responsibility.

References:

- An Ohio Department of Job and Family Services' document titled "Ohio Health Plan's Procedures for Detecting Fraud, Waste and Abuse"; and
- An Ohio Department of Job and Family Services' document titled "State and Federal False Claims Act and Whistleblower Protections".

Supersedes and Retires: Education about False Claims Recovery, Effective January 23, 2013

/s/ Rev. Benjamin F. Gohlstin, Sr.

/s/ Scott S. Osiecki

Rev. Benjamin F. Gohlstin, Sr.
ADAMHS Board Chair

Scott S. Osiecki
ADAMHS Board Chief Executive Officer

February 6, 2019

February 2022

Approval Date

Review Date



I, _____, ACKNOWLEDGE THAT I HAVE RECEIVED COPIES OF THE ADAMHS BOARD'S POLICY STATEMENT REGARDING EMPLOYEE EDUCATION ABOUT FALSE CLAIMS RECOVERY UNDER THE DEFICIT REDUCTION ACT OF 2005.

THE MATERIALS PROVIDED INCLUDED DISCUSSION OF PERTINENT LAWS RELATED TO THE ACT, AND RIGHTS OF EMPLOYEES TO BE PROTECTED AS WHISTLEBLOWERS.

EMPLOYEE SIGNATURE

DATE

*A copy of this signed acknowledgement shall be placed in the employees' personnel record.

Attachment