Business Development/Service & Support-Accountability, Transparency & INTEGRITY

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Unethical Business Practices in our Industry

- Patient Brokering
- Predatory practices online
- Insurance and Billing abuses
- Kickbacks
- Misrepresentation in licensing & accreditation Practices.
What affiliations and Memberships are you a member of?
Membership has its benefits. Do you know what they are?

NAATP

The mission is to provide leadership, advocacy, training, and member support services to ensure the availability and highest quality of addiction treatment.
Membership has its benefits

IECA

The Independent Educational Consultants Association (IECA) is a not-for-profit, international professional association representing experienced independent educational consultants.

IECA sponsors professional training institutes, workshops, conferences, and webinars, publishes a directory of qualified independent educational consultants, offers information to students and their families regarding school selection issues, and works to ensure that those in the profession adhere to the highest ethical and business standards.
Membership has its benefits

NATSAP

- Members include therapeutic schools, residential treatment programs, wilderness therapy programs, outdoor therapeutic programs, young adult programs and home-based residential programs.

- Requires the members of our organization to be licensed by the appropriate state agency authorized to set and oversee standards of therapeutic and/or behavioral healthcare for youth and adolescents or accredited by a nationally recognized behavioral health accreditation agency and to have therapeutic services with oversight by a qualified clinician.
NAADAC, the Association for Addiction Professionals, represents the professional interests of more than 95,000 addiction counselors, educators and other addiction-focused health care professionals in the United States, Canada and abroad.

NAADAC’s members are addiction counselors, educators and other addiction-focused health care professionals.

NAADAC members and its 47 state affiliates work to create healthier individuals, families and communities through prevention, intervention, quality treatment and recovery support.
How memberships can help you

- Advocacy liaisons/lobbyists who advocate in Washington
  - For example: NAATP has Mark Dunn

- To make a difference you MUST get into ACTION and get involved
Accreditation: Is your program accredited?
INTO ACTION
What you can do. How to report unethical practices?

- Do you have a patient safety event or concern about a health care organization?
- How do you file a concern?
- Online: Submit a new patient safety event or concern. | Submit an update to your incident. (You must have your incident number)
- E-mail: patientsafetyreport@jointcommission.org
- Fax: 630-792-5636
- Mail: Office of Quality and Patient Safety
  The Joint Commission
  One Renaissance Boulevard
  Oakbrook Terrace, Illinois 60181
- https://www.jointcommission.org/report_a_complaint.aspx
▪ CARF-
http://www.carf.org/How_to_submit_feedback_and_resolve_a_complaint/
▪ Submitting feedback or resolve a complaint with a CARF-accredited provider
▪ Complete the online contact form
▪ Email your comments or concerns to feedback@carf.org
▪ Fax your feedback to: (520) 318-1129
▪ Or you may mail your feedback on 1 to 3 pages of paper to:
CARF
6951 East Southpoint Road
Tucson, AZ 85756-9407
▪ Or you may call toll free (866) 510-2273 or (866) 510-CARF, which is a dedicated telephone line for receiving public feedback during business hours. (Other business calls should continue to be directed to CARF's main number.)
DENVER, August 2, 2017 – The National Association of Addiction Treatment Providers (NAATP a/k/a The National Association) recently announced an initiative to address problematic business practices in the addiction treatment field.

Illegal, unethical, and unprofessional practices have reached an all-time high, fueled in part by the opioid addiction crisis, creating a need for industry practice standards.

The Guidebook will identify business practices that are inappropriate and also define that which is best practice. The Guidebook will include instructional “how to” tools for provider implementation of best practices.
The initiative, called the NAATP Quality Control Initiative (QC) will: 1) Promote Best Business Practice, 2) Deter Problematic Business Practice, 3) Inform Law and Policy Makers, and 4) Educate and Protect the Consumer. The National Association has identified the following specific practices as most concerning: 1) Patient Brokering, 2) Predatory Web Practices, 3) Insurance/Billing Abuses, 4) Payment Kickbacks, and 5) Licensing & Accreditation Misrepresentation. The Guidebook will define and prohibit these practices while presenting clear standards for ethical business operations.

The QC was adopted at a July 2017 special meeting of NAATP leadership.

Once in place, NAATP treatment provider members will be required to adhere to the guidelines, thereby creating a “high floor” practice standard.

Mark Dunn

- Policy Director, Washington DC
- Mark Dunn represents NAATP in Washington DC. As policy representative, Mark represents NAATP on Capitol Hill, at the various federal agencies, and with coalition partners.
- He advises NAATP and the Board on a broad range of public policy issues important to NAATP members.
- Mark is a partner in Veritas Advisors, a public affairs firm with over 150 years of combined federal government affairs experience.
Public Policy

Who has them? Where are they?

- Treatment Center Bylaws
- State laws
- Federal Laws
- Certifying Body Requirements
- Professional Licensing Bodies
Stark Violation

- **Stark** Law is a set of United States federal laws that prohibit physician self-referral, specifically a referral by a physician of a Medicare or Medicaid patient to an entity providing designated health services ("DHS") if the physician (or an immediate family member) has a financial relationship with that entity.
Penalties for violating Stark can be severe.

Penalties include denial of payment, refund of payment, imposition of a $15,000 per service civil monetary penalty and imposition of a $100,000 civil monetary penalty for each arrangement considered to be a circumvention scheme.
Your State Department of Mental Health

- National Association of State Mental Health Program Directors
- Get to know your directors, many programs are certified also through DMH. You can report unethical business practices to your state agency.
▪ National Association of State Alcohol and Drug Directors
▪ Provides advocacy in Washington, DC
▪ Made up of one representative from each state
  ▪ Usually the administrator of the Substance Abuse Block Grant
▪ http://nasadad.org
▪ Who is my Attorney General?


▪ Review existing laws and policies and ensure an existing protocol is in place
AG Healey Warns of Addiction Treatment Scams That Refer Patients to Inadequate Out-of-State Facilities

- **BOSTON** – After receiving multiple reports of Massachusetts residents seeking addiction treatment being recruited to centers across the country, Attorney General Maura Healey has issued an advisory warning people of scams that leave them without real care.

- Recruiters often use texts or social media to recruit patients to centers in Arizona, California or Florida, and offer to pay for airfare and health insurance to cover the costs of out-of-state treatment.

- According to some reports, many of these out-of-state centers provide little or no treatment to patients. In other instances, the recruiters have stopped paying insurance premiums, which has resulted in patients getting removed from treatment facilities and stranded without access to housing, health care, or the financial resources to return to Massachusetts.
AG Healey has provided the following advice for those seeking addiction treatment to protect from potential scams:

- **Be wary of unsolicited referrals**: In Massachusetts, it is illegal for recruiters to accept kickbacks for referring you to treatment.
- **Watch for fees**: Anyone paid a referral fee for recommending a particular treatment center does not have your best interests in mind.
- **Be cautious of free coverage**: Be wary of anyone offering to pay for your insurance coverage. They can stop paying your premiums at any time, which will result in the cancellation of your insurance.
- **Have a back-up plan**: If you accept an offer by someone to pay for travel to an out-of-state clinic, make sure you have a plan and the means to pay for a trip back home.
- **Protect your information**: Be careful about giving your personal information – including your social security number or insurance number – to a recruiter, unless you can confirm that the person is employed by a medical provider or insurance company.
- **Always double check**: If someone is offering to arrange travel or cover insurance costs for treatment, call the treatment facility or your insurance company to confirm that the person is an employee.
To safely access treatment services in Massachusetts, please contact the Massachusetts Substance Abuse Hotline at 1-800-327-5050 or visit [http://helpline-online.com](http://helpline-online.com). If you have MassHealth insurance, contact the Massachusetts Behavioral Health Partnership 1-800-495-0086 or visit [www.masspartnership.com](http://www.masspartnership.com).

If you believe you have been the victim of a scam, call the Massachusetts Attorney General’s Health Care Helpline at 1-888-830-6277 or file a complaint at [www.eform.ago.state.ma.us](http://www.eform.ago.state.ma.us).

Get involved in your local and state agencies.
Things for families to ask

- How long has the program been in operation? Providers in operation over 10 years typically aren’t seeking quick profits.

- Is the program licensed by the state?

- Is the program accredited by the Joint Commission, an independent, nonprofit which certifies health care organizations and programs in the United States, or the Commission on Accreditation of Rehabilitation Facilities (CARF), an international nonprofit accreditor of health and human services?

- Is the program a part of the national trade organization for addiction treatment? Are they contributing to the community, including taking the NAATP ethics pledge which has been in place for five years?

- Is the program In Network or Out of Network? For-profit or Nonprofit? While not all Out of Network or For-profit providers are bad it’s nearly impossible to be dishonest from a billing standpoint if you’re In Network with insurance payers.

- How frequently does the program perform lab testing like urine drug screens? Does the program have financial ownership or receive incentives from the lab company?

- Does the program have a family component or family participation? Is there an extra charge for this service?

- What levels of care does the program provide?

- Does the program have placement criteria? Do they refer patients to alternative facilities when they don’t fall into their area of expertise? What are those criteria?

- Does the program offer airline tickets, free rent or other inducements? Offers of free rent or other benefits may be evidence of illegal patient brokering or in some states fraudulent inducement.

- Does the program have a strong alumni base? Do they offer alumni services such as Aftercare?

- If seeking a sober home, are referral fees paid to the sober home from a treatment center if residents enroll at that center? If so, it suggests the presence of an illegal kickback scheme.
Google Setting
limits

- September 14, 2017
- Google set limits on Addiction Treatment Ads, citing Safety.
- This week they have acknowledged the problem-and started restricting ads that come up when someone searches for addiction treatment on their site. “We have found a number of misleading experiences among rehabilitation treatment centers that led to our decision.”
Questions

Thank You!