

# OMIG Self-Disclosure Process

# Benefits of Self-Disclosure

- Promotes an environment of compliance and integrity within an organization
- Enables OMIG to work with the provider on repayment terms
- Satisfies the provider's obligation to report, return and explain under Federal and State law

# Common Issues Identified

- ❑ Commonly self-disclosed errors that led to a Medicaid overpayment include, but are not limited to:
  - Billing errors
  - Fraudulent behavior by employees
  - Discovery of an employee on the Excluded Provider list
  - Documentation errors
  - Changes in billing systems which caused claims to be billed incorrectly

# Two Self-Disclosure Avenues

All identified Medicaid overpayments must be self-disclosed.

OMIG has developed two paths for different types of Medicaid Self-Disclosures. Medicaid entities choose the appropriate type of Self-Disclosure based on the type of overpayment identified.

- Self-Disclosure Full Statement** (existing form & process)
- Self-Disclosure Abbreviated Statement** (new as of August 2023)

# Which type of self-disclosure do I have?

Determination should be based on the error or issue that occurred that caused the overpayment of Medicaid funds

- The first step is to fully investigate and identify the error that caused the overpayment.

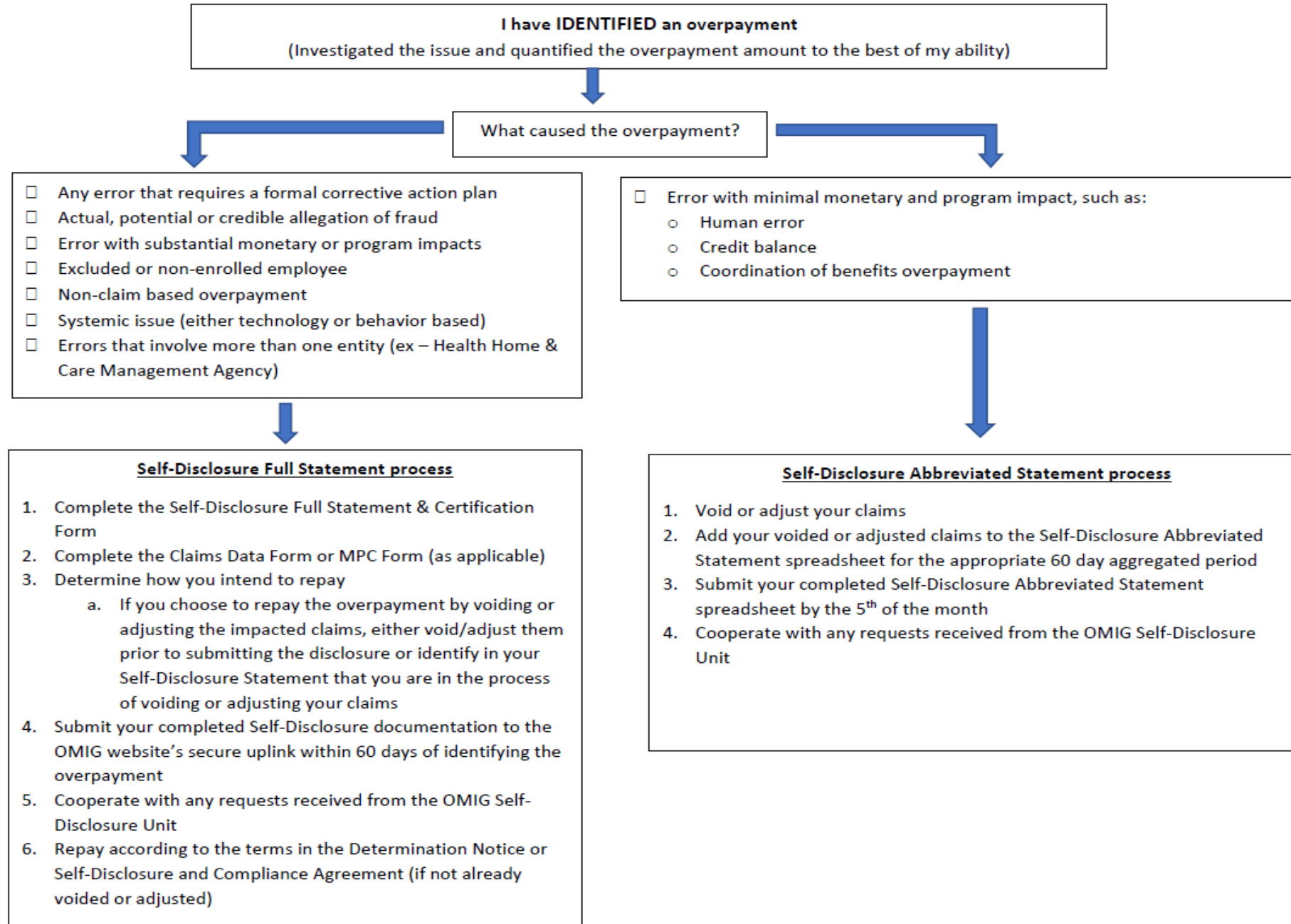
## Self-Disclosure Full Statement

- Any error that requires a Medicaid entity/Provider to create and implement a formal corrective action plan
- Actual, potential or credible allegation of fraudulent behavior by employees or others
- Discovery of an employee on the Excluded Provider list
- Non-claim-based Medicaid overpayments
- Systemic billing or claiming issues
- Overpayments that involved more than one Medicaid entity/Provider (example – Health Homes & Care Management Agencies)
- Any error with substantial monetary or program impacts
- Any instance upon direction by OMIG

## Self-Disclosure Abbreviated Statement

- Routine credit balance/coordination of benefits overpayments
- Typographical human errors
- Routine Net Available Monthly Income (NAMI) adjustments
- Instances of missing or faulty authorization for services due to human error
- Inappropriate rate, procedure or fee code used due to typographical or human error
- Routine recipient enrollment issue

**\* All overpaid Medicaid claims appropriate for the Abbreviated process must be voided or adjusted.**



# Submit an Abbreviated Self-Disclosure

- Void or adjust the overpaid claim(s)
- Document the reason for the overpayment, the date the overpayment was identified, and the voided or adjusted Transaction Control Number (TCN)
- By the 5<sup>th</sup> of each month utilize the Abbreviated Statement link on OMIG's website to submit a monthly report containing the routine or transactional voided or adjusted overpayments from the previous month



# Submit a Full Self-Disclosure

- Complete the Self-Disclosure Full Statement, Certification form and Claims Data or Mixed Payer Calculation spreadsheet (as applicable)
- Utilize the secure uplink on OMIG's website to submit the completed Self-Disclosure documentation
- If repaying by voids or adjustments, void or adjust the overpaid claim(s)

# Matters That Should Not Be Self-Disclosed

- ❑ The overpayment is included in another separate review or audit being conducted by OMIG, the Office of the Inspector General, Attorney General, etc.
- ❑ The overpayment is included in a broader state-initiated rate adjustment, cost settlement, or other payment adjustment mechanism. For example: retroactive rate adjustments, charity care, cost reporting, etc.
- ❑ Any underpayments; these must be re-billed to eMedNY. Claims are subject to their own rules and regulations

# Repayment Options

# Voiding or Adjusting Overpaid Claims

Voiding or adjusting Medicaid claims is an acceptable way to repay Medicaid but does not satisfy a provider's obligation to report and explain the identified overpayment.

- Abbreviated Process:** Overpaid Medicaid claims must be voided or adjusted prior to submitting them on the Self-Disclosure Abbreviated Statement.
- Full Process:** Void or adjust the overpaid Medicaid claims prior to submitting the Self-Disclosure Full Statement. If this isn't possible, indicate within the Statement that voids or adjustments are in process for repayment.

# Check, Money Order or Electronic Payment

- ❑ **Lump Sum Payment**: DO NOT SEND PAYMENT ALONG WITH SELF-DISCLOSURE. Once the self-disclosure is processed, you may pay by check, electronic payment or money order. A Determination Notice will be sent with instructions on lump sum repayment.
- ❑ **Extended Repayment**: A provider may request installment payments via a Self-Disclosure and Compliance Agreement (SDCA) prior to the issuance of a Determination Notice. This payment option is granted or denied at the discretion of OMIG. A provider must supply all supporting financial documentation requested by OMIG (i.e., tax returns) by the due date specified to be considered for this payment option.

# Self-Disclosure Best Practices

# Investigate

**Fully investigate what caused the overpayment, who was involved, and what will be done to ensure it doesn't reoccur**

- Determine what caused the overpayment to occur
- Identify who caused the overpayment (if identifiable)
- Identify who was involved in discovering the overpayment
- Quantify the overpayment to the best of your ability and determine an estimated overpayment amount
- Determine what corrective action needs to take place (if any) to ensure the overpayment doesn't reoccur

# Determine the appropriate Self-Disclosure Process for reporting

- Use the reason the overpayment occurred to determine which of the two Self-Disclosure processes is appropriate for reporting and explaining the identified overpayment.



# Visit the OMIG Website

Forms, instructions and options for secure submission can be found on OMIG's website for both the Self-Disclosure Abbreviated Process and the Self-Disclosure Full Process

<https://omig.ny.gov/provider-resources/self-disclosure>



Office of the  
Medicaid Inspector  
General

# Self-Disclosure: It's the *right thing* to do



# Contacts

# Self-Disclosure Unit Resources and Contact Information

- ❑ Self-Disclosure web page: <https://omig.ny.gov/provider-resources/self-disclosure>
- ❑ Self-Disclosure dedicated email: [selfdisclosures@omig.ny.gov](mailto:selfdisclosures@omig.ny.gov)
- ❑ Self-Disclosure dedicated phone line:  
518-402-7030

# Agency Contact & Resource Information

- ❑ OMIG Executive Staff: 518-473-3782
- ❑ Website: [www.omig.ny.gov](http://www.omig.ny.gov)
- ❑ Bureau of Medicaid Fraud Allegations: [bmfa@omig.ny.gov](mailto:bmfa@omig.ny.gov)
- ❑ Medicaid Fraud Hotline: 877-873-7283
- ❑ Join our [listserv](#)
- ❑ Follow us on Twitter: @NYSOMIG
- ❑ Dedicated e-mail: [information@omig.ny.gov](mailto:information@omig.ny.gov)