

## January 19, 2022 – County PI Prosecution Process Webinar

### **Q1: What is Doctor shopping?**

A doctor shopper visits multiple health care providers to obtain prescription medications or a wanted medical option, diagnosis, or treatment.

### **Q2. How long of a process is this from the time a case is referred until it is finished?**

This will vary from county to county as evident with our county panelist. One county stated 6-12 months and another county stated they have cases that has taken a year or longer.

### **Q3. Are the counties taking ALL program cases to court (FNS and cash) or is it just MA?**

All counties represented on the panel have a Prosecution Plan that includes referring all program cases to the DA's office. Although this was a Medicaid sponsored webinar, the State suggests the counties develop one Prosecution Plan that includes all programs.

### **Q4. Is the agency charged by the County Attorney's office for bringing these cases to court?**

Cabarrus – No

Bladen – No

Wilson – Wilson has a contract with an outside law firm, which includes Program Integrity representation.

### **Q5. Do you discuss the case with the client before referring their cases for prosecution?**

Yes, it is a good practice to discuss the case with the client, if possible, prior to sending the case to Law Enforcement or the DA's office.

### **Q6. Please provide a template of the Prosecution Plan so counties who do not have one know what to include.**

Counties on the panel are willing to provide their templates as an example of a Prosecution/Claims Management Plan. Please contact counties individually.

### **Q7. What do counties do if they can't get the support of the DA's office?**

Our guest panelist Pam Baker provided a great response to this question. It was her suggestion to have your Director and County Attorney communicate directly with the DA's office. If needed the Director can also reach out to County Commissioners.

### **Q8. Referring to the statement regarding the DA's office not accepting household comp cases and considering that referral for Prosecution is mandatory, if we have a household comp cases due to being difficult to prove be added into the wording of our claims**

**Management Plan and this would cover us on the requirement for mandatory referral for prosecution without actually referring it?**

All cases suspected of an Intentional Program Violation must be referred to Law Enforcement or the DA's office. If these cases are refused, a discussion may be needed with Law Enforcement or the DA to determine if there is any additional information that can be obtained to strengthen these type cases.

**Q9. The FNS still talks about coding cases with a "U" or "P" creation date. Is there such coding in NC FAST or how do we protect ourselves from overdue cases waiting on prosecution or Medicaid recipient profiles to be received?**

NC FAST does not use the legacy coding of "U" or "P" codes. In NC FAST, you would enter Legal Details. See job aid "PI – Create Legal Details".

**Q10. Is there a good template folder/file that you can provide to your ADAs? Can you provide a redacted template to other counties?**

The DHB-7058, Investigative Summary, is a template that can be used to provide details of the investigation and any evidence collected to support a referral for prosecution.

Also, the counties on the panel are willing to provide their prosecution templates/packets as an example.