

Carrier Notification Workflow

The Carrier must follow the process detailed below when receiving an allegation or complaint:

1. Initial Assessment

The Carrier must assess allegations or complaints within 30 working days¹ of receipt. A Carrier must report all allegations to OPM using the ARC Spreadsheet once the assessment identifies allegations or complaints with real or potential (unrealized)² FEHB/PSHB exposure on the next applicable ARC Spreadsheet submission.

Some examples of FWA reportable to OPM include:

- The identification of emerging fraud schemes;
- Internal fraud, waste, or abuse by Carrier employees, contractors, or subcontractors;
- Fraud by providers who supply goods or services to FEHB/PSHB Program members;
- Fraud by individual FEHB/PSHB Program members;
- A provider who has committed a sanctionable action or who meets the qualifications of debarment or suspension; and
- Carrier participation in class action lawsuits.

2. Carrier Notification

After any affirmative steps are taken and an actionable FWA case with FEHB/PSHB Program exposure is established by the Carrier, The Carrier must provide notification to OPM OIG within 5 working days using the OIG's FWA portal.

Submissions to OPM OIG must include the following:

¹ Thirty working days is defined as Monday–Friday and does not count any Federal Holiday

² Unrealized or potential FEHB/PSHB exposure covers claims submitted to the Carrier but which have not been paid by the Carrier. This covers false submissions that have been identified as potentially fraudulent or wasteful activity.

- A written summary of the actionable evidence the Carrier has reviewed which caused the Carrier, after the Initial Assessment, to suspect FWA may have occurred (including, but not limited to, a comprehensive description of the fraudulent scheme and details on the contractual or legal violation suspected);
- A written analysis of any suspected fraudulent claims pattern, specific CPT, ICD-10, and other types of codes used in the scheme (for example: “of 1900 billed services, 800 of them were not performed equating to 42% of the claims being false”);
- Carriers reporting a patient harm case must further explain the relation to FWA or other criminal violations.

Carrier notifications to OPM OIG are intended to capture developed and actionable cases. It is generally not intended to include claims involving human error. If OPM OIG elects to pursue a case, the Carrier must take no actions on the case except those permitted by OPM OIG. OPM OIG may share information from the carrier notification with other FEHB/PSHB Carriers. If the Carrier making the notification has reason to believe such information sharing may jeopardize an ongoing investigation, the Carrier must inform OPM OIG.

In cases where the Carrier has submitted a Carrier notification to OPM OIG, the Carrier is expected to pause any monetary recovery or legal resolution while awaiting a determination from OPM OIG whether it will accept the notification³ for investigation or further action. The Carrier is expected to continue investigative or evidence gathering activities during the 45-calendar day Carrier notification waiting period. Submission of a Carrier notification to OPM OIG pauses requirements under contract section 2.3(g) to pursue monetary recovery during the 45-calendar day Carrier notification waiting period. After the 45-day waiting period expires, the Carrier must pursue any monetary or legal resolution if OPM OIG elects not to pursue a case.

The Carrier must notify OPM and OPM OIG of any proposed settlement agreements after the 45-calendar day Carrier notification waiting period if

³ The pause requirement does not apply to resubmissions.

OPM OIG has elected not to pursue the case. The Carrier must wait for OPM OIG and OPM response prior to acceptance.

For all cases, Carriers are expected to assist OPM OIG. This includes but is not limited to providing any documents, files, or materials requested by OPM OIG or OPM within 10 working days.

3. Resubmission of Carrier Notification

Resubmission of a Carrier notification is required if the Carrier develops significant new information and believes OPM OIG should reconsider their decision not to pursue or if the Carrier notification declined by OPM OIG is subsequently accepted for investigation by another Federal, state and/or local law enforcement agency. If resubmitted due to subsequent accepted investigation, the resubmission must provide the identity of the law enforcement agency.

The Carrier may proceed without waiting for a response from OPM OIG. If OPM OIG elects to pursue a case after Resubmission, the Carrier must take no actions on the case except those permitted by OPM OIG. OPM OIG may share information from the Carrier notification with other FEHB/PSHB Carriers. If the Carrier making the notification has reason to believe such information sharing may jeopardize an ongoing investigation, the Carrier must inform OPM OIG.

Carrier Fraud, Waste, and Abuse Investigation and Reporting Process Workflow

Start

