



DEC 17 2002

TO: Neil Donovan
Director, Audit Liaison Staff
Centers for Medicare & Medicaid Services

FROM: Dennis J. Duquette 
Deputy Inspector General
for Audit Services

SUBJECT: Follow-Up Review of a Finding Contained in a New York State Office of the State Comptroller Audit Report on Duplicate School Health Claims to Medicaid made by the New York City Board of Education (A-02-02-01018)

As part of the Office of Inspector General's self-initiated audit work, we are alerting you to the issuance within 5 business days of our final report entitled, "Follow-Up Review of a Finding Contained in a New York State Office of the State Comptroller Audit Report on Duplicate School Health Claims to Medicaid made by the New York City Board of Education." A copy of the report is attached. This report is one in a series of reports in our multi-state initiative focusing on costs claimed for Medicaid school-based health services. We suggest you share this report with the Centers for Medicare & Medicaid Services (CMS) components involved in program integrity, provider issues, and state Medicaid agency oversight, particularly the Center for Medicaid and State Operations.

The objectives of the review were to determine if:

- New York State (NYS) recouped the improper duplicate school health payments made to the New York City Board of Education (NYC BOE) that were identified in the Office of the State Controller's (OSC) report and if the Federal Government received its share of the recoupments.
- The NYC BOE ceased claiming for the duplicate school health claims.
- Duplicate school health claims were made by and paid to the NYC BOE for periods prior to and after the OSC's audit period of January 1, 1997 through December 31, 1999.

Our audit found that although NYS recouped \$30,548,090 (\$15,274,045 federal share) of the duplicate school health claims made by the NYC BOE, and we had reasonable assurance that the Federal Government received its share of these recoveries, the recoupments were not made timely. Our review noted that only \$18,804,066 of the \$30,548,090 had been recovered by January 2, 2001 and the balance, or \$11,744,024, was not recovered until March 2002. Thus, there was about a 14-month delay by the state in recovering \$11,744,024 identified by the OSC.

We also determined that, for the most part, the NYC BOE ceased claiming for the duplicates after the OSC's December 31, 1999 audit cut-off date. However, for periods prior to the OSC audit, we found that duplicate school and preschool claims were submitted by and paid to the NYC BOE. In response to our audit, NYS officials identified and recouped \$27,624,087 (\$13,812,043 federal share) of duplicates in March 2002 for periods prior to the OSC audit period. We noted that this additional recovery did not occur until approximately four months after our audit field work commenced. Our audit also identified an additional \$5,642,918 (\$2,821,459 federal share) of duplicates that needs to be recovered.

We recommended that NYS:

1. Recoup the additional \$5,642,918 of duplicate claims identified by our audit and refund \$2,821,459 to the Federal Government.
2. Recover all duplicate Medicaid payments when they are identified and return the federal share of these overpayments to the Federal Government within 60 days of discovery as required by applicable federal regulations.

In a written response to our draft report, NYS officials generally concurred with both recommendations. Specifically, the state will review a file provided by us to determine which individual claims should be voided. In addition, NYS officials stated that they will return the federal share of overpayments in a timely manner when it has determined an overpayment has been made and claims have been voided.

We are pleased that the state generally agrees with the recommendations noted in our report. We summarized the state's comments and responded to those comments at the end of the FINDINGS AND RECOMMENDATIONS section of the report and included the comments in their entirety in an APPENDIX to the report.

Any questions or comments on any aspect of this memorandum are welcome. Please address them to George M. Reeb, Assistant Inspector General for the Centers for Medicare and Medicaid Audits, at (410) 786-7104 or Timothy J. Horgan, Regional Inspector General for Audit Services, Region II, at (212) 264-4620.

Attachment



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office Of Inspector General
Office Of Audit Services
Region II

DEC 20 2002

Memorandum

Report Number: A-02-02-01018

Dr. Antonia C. Novello, M.D.
Commissioner
New York State Department of Health
Empire State Plaza
14th Floor, Room 1408
Corning Tower
Albany, New York 12237

Dear Dr. Novello:

Enclosed are two copies of the Department of Health and Human Services (HHS), Office of Inspector General, Office of Audit Services' final report entitled, "Follow-Up Review of a Finding Contained in a New York State Office of the State Comptroller Audit Report on Duplicate School Health Claims to Medicaid made by the New York City Board of Education." A copy of this report will be forwarded to the HHS action official noted below for her review and any action deemed necessary.

Final determination as to actions taken on all matters reported will be made by the HHS action official. We request that you respond to the HHS action official within 30 days from the date of this letter. Your response should present any comments or additional information that you believe may have a bearing on the final determination.

In accordance with the principles of the Freedom of Information Act, 5 U.S.C. 552, as amended by Public Law 104-231, OIG/OAS reports are made available to members of the public to the extent information contained therein is not subject to exemptions in the Act which the Department chooses to exercise. (See 45 CFR part 5.) As such, within 10 business days after the final report is issued, it will be posted on the world wide web at <http://oig.hhs.gov/>.

To facilitate identification, please refer to report number A-02-02-01018 in all correspondence relating to this report.

Sincerely yours,

Timothy J. Horgan
Regional Inspector General
for Audit Services

Enclosures – as stated

Page 2 – Dr. Antonia C. Novello, M.D.

Direct Reply to HHS Action Official:

Ms. Sandra M. Tokayer
Acting Associate Regional Administrator
Division of Financial Management
Centers for Medicare & Medicaid Services, Region II
Department of Health and Human Services
26 Federal Plaza, Room 38-130
New York, New York 10278

Department of Health and Human Services

**OFFICE OF
INSPECTOR GENERAL**

**FOLLOW-UP REVIEW OF A FINDING
CONTAINED IN A NEW YORK STATE OFFICE OF
THE STATE COMPTROLLER AUDIT REPORT ON
DUPLICATE SCHOOL HEALTH CLAIMS TO
MEDICAID MADE BY THE NEW YORK CITY
BOARD OF EDUCATION**



**JANET REHNQUIST
Inspector General**

**DECEMBER 2002
A-02-02-01018**

Office Of Inspector General Notices

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at <http://oig.hhs.gov/>

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OAS FINDINGS AND OPINIONS

The designation of financial or management practices as questionable or a recommendation for the disallowance of costs incurred or claimed as well as other conclusions and recommendations in this report represent the findings and opinions of the HHS/OIG/OAS. Final determination on these matters will be made by authorized officials of the HHS divisions.



EXECUTIVE SUMMARY

Background

On January 18, 2001, the New York State (NYS) Office of the State Comptroller (OSC) issued a report entitled, "Controlling Medicaid Payments for School and Preschool Supportive Health Services." One of the findings contained in the OSC report was entitled, "Duplicate Payments Between Programs." For the period January 1, 1997 through December 31, 1999, the OSC identified 80,498 school claims totaling \$30,917,048 and 76,656 preschool claims totaling \$34,985,278 that were paid by Medicaid for the same child and the same date of service (the duplicates). The federal share of these payments was 50 percent.

In its report, the OSC stated that the New York City Board of Education (NYC BOE) accounted for over 97 percent of the duplicates and that all of the NYC BOE duplicates occurred in calendar year 1997. The OSC reported that after 1997, the NYC BOE implemented controls to prevent the duplicates from occurring; however, the OSC noted that the NYC BOE did not take steps to repay the overpayments. The OSC recommended that NYS investigate and recoup the duplicate payments. In a January 2, 2001 written response to the OSC report, NYS Department of Health (DOH) officials concurred with the finding and stated that it had voided and/or adjusted all duplicate and excessive payments made to the NYC BOE.

Objectives

The objectives of the review were to determine if:

- NYS recouped the improper duplicate school health payments made to the NYC BOE that were identified in the OSC's report and if the Federal Government received its share of the recoupments.
- The NYC BOE ceased claiming for the duplicate school health claims.
- Duplicate school health claims were made by and paid to the NYC BOE for periods prior to and after the OSC's audit period of January 1, 1997 through December 31, 1999.

Summary of Findings

Our audit found that although NYS recouped \$30,548,090 (\$15,274,045 federal share) of the duplicate school health claims made by the NYC BOE, and we have reasonable assurance that the Federal Government received its share of these recoveries, the recoupments were not made timely. We also determined that contrary to NYS's January 2, 2001 written response to the OSC report, all duplicate school health claims made by the NYC BOE, and identified by the OSC, had

not been recouped by this date. Our review noted that only \$18,804,066 of the \$30,548,090 had been recovered by January 2, 2001 and the balance, or \$11,744,024, was not recovered until March 2002. Thus, there was about a 14-month delay by the state in recovering \$11,744,024 identified by the OSC.

We determined that for the most part, the NYC BOE ceased claiming for the duplicates after the OSC's December 31, 1999 audit cut-off date. For periods prior to the OSC audit, we found that duplicate school and preschool claims were submitted by and paid to the NYC BOE. In response to our audit, NYS officials identified and recouped \$27,624,087 (\$13,812,043 federal share) of duplicates in March 2002 for periods prior to the OSC audit period. We noted that this additional recovery did not occur until approximately four months after our audit field work commenced. Our audit also identified an additional \$5,642,918 (\$2,821,459 federal share) of duplicates that needs to be recovered. We will provide NYS officials with a database of the additional duplicate claims that need to be recouped.

Conclusions and Recommendations

Our review determined that the duplicate school and preschool claims submitted by and paid to the NYC BOE were not recouped in a timely manner. Additionally, we found that all duplicate claims have not been recovered. In this regard, we recommended that NYS:

1. Recoup the additional \$5,642,918 of duplicate claims identified by our audit and refund \$2,821,459 to the Federal Government.
2. Recover all duplicate Medicaid payments when they are identified and return the federal share of these overpayments to the Federal Government within 60 days of discovery as required by applicable federal regulations.

Auditee's Comments

State officials generally concurred with both our recommendations. Specifically, officials stated that they will review a file provided by us to determine which individual claims should be voided and return the federal share of those claims. Additionally, state officials noted that they will return the federal share of overpayments in a timely manner when it has been determined that an overpayment has been made. The state's response is included in its entirety as an APPENDIX to this report.

OIG's Response

We are pleased to note that state officials generally concurred with our recommendations. We continue to recommend that they refund the \$2,821,459 to the Federal Government and that overpayments are returned to the Federal Government within 60 days of discovery.

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INTRODUCTION

Background

New York State Office of the State Comptroller Report

On January 18, 2001, the NYS OSC issued a report (Report 2000-S-1) entitled, “Controlling Medicaid Payments for School and Preschool Supportive Health Services.” The OSC audit period was January 1, 1997 through December 31, 1999. One of the findings contained in the OSC report was entitled, “Duplicate Payments Between Programs.”

In its finding, the OSC explained that school and preschool programs provide special education services (such as speech and physical therapy) to different populations of children with, or suspected of having, disabilities. The report noted that in general, children should not receive services from both a school and preschool program at the same time.

The report stated that the OSC performed a computer match of Medicaid claims to identify school and preschool payments for the same child and same date of service. For its January 1, 1997 through December 31, 1999 audit period, the OSC identified 80,498 school claims totaling \$30,917,048 and 76,656 preschool claims totaling \$34,985,278 that were paid by Medicaid for the same child and the same date of service. The federal share of these payments was 50 percent.

The OSC’s computer match identified two types of duplicates. The first type was duplicate payments to a school and preschool provider for the same child, same type of service, and same date of service. For example, in its report, the OSC showed that it found 38,023 instances where a school and preschool were both paid for providing speech therapy to the same student on the same service date. The second type was duplicate payments to a school and a preschool for the same child and date, but not the same type of service. An example would be where a school billed for a speech service and a preschool billed for a physical therapy service for the same student on the same date of service.

In its report, the OSC stated that the NYC BOE accounted for over 97 percent of the duplicates and that all of the NYC BOE duplicates occurred in calendar year 1997. The duplicates were between the NYC BOE’s school and preschool programs which were billed to Medicaid under two separate Medicaid provider identification numbers (one number for the school and one for the preschool). The OSC reported that after 1997, the NYC BOE implemented controls to prevent the duplicates from occurring; however, the OSC noted that the NYC BOE did not take steps to repay the overpayments.

The OSC recommended that NYS investigate and recoup the duplicate school and preschool payments. In a January 2, 2001 written response to the OSC report, NYS DOH officials

concurrent with the finding and stated that it had voided and/or adjusted all duplicate and excessive payments made to the NYC BOE.

New York's Medicaid Program

In NYS, the DOH is the single state agency responsible for operating the state's title XIX Medicaid program. Within the NYS DOH, the Office of Medicaid Management is responsible for administering the Medicaid program. The DOH uses the Medicaid Management Information System (MMIS), a computerized payment and information reporting system, to process and pay Medicaid claims, including school health claims. The federal share of these claims was 50 percent. Under NYS's Medicaid program, only the federal share amount of a school health claim was actually disbursed to the school health providers.

Objectives, Scope, and Methodology

The objectives of the review were to determine if:

- NYS recouped the improper duplicate school health payments made to the NYC BOE that were identified in the OSC's report and if the Federal Government received its share of the recoupments.
- The NYC BOE ceased claiming for the duplicate school health claims.
- Duplicate school health claims were made by and paid to the NYC BOE for periods prior to and after the OSC's audit period of January 1, 1997 through December 31, 1999.

In order to accomplish our audit objectives, we:

- Met with OSC officials to obtain background information on their audit and to gain an understanding of the methodology used to identify the duplicate school and preschool claims.
- Held discussions with NYS DOH and NYC BOE officials to gain an understanding of the events that led to the finding of duplicate school and preschool claims and the subsequent actions of these officials concerning the recouping and voiding of the duplicate claims.
- Obtained documentation from the NYS DOH showing the recoupment/void process and gained an understanding of how the federal share of overpayments was returned when claims were voided.
- Reviewed four prior Office of Audit Services Medicaid reports regarding the voids process as it relates to recoupments of overpayments and the return of the federal share.

- Obtained and reviewed computer disks from the NYS DOH that contained the duplicates identified by the OSC as well as duplicates for prior periods.
- Ran computer programming applications at the MMIS fiscal agent to identify potential duplicate school and preschool claims made by the NYC BOE for periods prior to and after the OSC audit period.
- Performed analysis of the potential duplicate claims for periods prior to the OSC's January 1, 1997 audit start date.
- Obtained and reviewed various documentation from the NYS DOH related to the amounts they voided and recouped.
- Ran computer programming applications at the MMIS fiscal agent to verify that the duplicate claims were voided and recouped by NYS.
- Identified additional duplicate school health claims that should have been voided/recouped for periods prior to and after the OSC audit period.

Our review was conducted in accordance with generally accepted government auditing standards. During our audit, we did not review the overall internal control structure of the state or the Medicaid program. Rather, our internal control review was limited to the three objectives of our audit. Audit field work was performed at the NYS OSC, the NYS DOH, the NYC BOE, the MMIS fiscal agent, and at our Albany field office from December 2001 through September 2002.

FINDINGS AND RECOMMENDATIONS

Our audit found that although NYS had recouped \$30,548,090 (\$15,274,045 federal share) of the duplicate school health claims made by the NYC BOE, and we have reasonable assurance that the Federal Government received its share of these recoveries, the recoupments were not made timely. We also determined that contrary to NYS's January 2, 2001 written response to the OSC report, all duplicate school health claims made by the NYC BOE, and identified by the OSC, had not been recouped by this date. Our review noted that only \$18,804,066 of the \$30,548,090 had been recovered by this date and the balance, or \$11,744,024, was not recovered until March 2002, after our audit commenced.

We noted that, for the most part, the NYC BOE ceased claiming for the duplicates after the OSC's December 31, 1999 audit cut-off date. For periods prior to the OSC audit, we found that duplicate school and preschool claims were submitted by and paid to the NYC BOE. In response to our audit, NYS officials identified and recouped \$27,624,087 (\$13,812,043 federal share) of

duplicates in March 2002 for periods prior to the OSC audit period. However, our audit identified an additional \$5,642,918 (\$2,821,459 federal share) of duplicates that needs to be recovered.

We will briefly discuss the results of our review below.

Duplicate NYC BOE Claims Identified by the OSC

Our audit found that NYS voided and recouped \$30,548,090 (\$15,274,045 federal share) of the duplicate school health claims made by the NYC BOE that were identified by the OSC's report. Based on our review, we have reasonable assurance that the Federal Government received its share of these recoveries. However, we determined that the recoupments and return of the federal share were not made timely.

Federal regulations found at 42 CFR, Part 433, Subpart F, entitled, "Refunding of Federal Share of Medicaid Overpayments to Providers," state that a Medicaid state agency has 60 days from the date of discovery of an overpayment to recover or seek to recover the overpayment from the provider before the federal share needs to be refunded.

We determined that the duplicate school health payments were discovered by the NYC BOE in late 1997 and that NYS DOH officials were notified of these overpayments in early 1998. However, the first recoupment actions were not made until September 2000, well over two years later. Additionally, these recovery actions did not occur until after the OSC audit had commenced.

For its January 1, 1997 through December 31, 1999 audit period, the OSC report identified 80,498 school claims totaling \$30,917,048 and 76,656 preschool claims totaling \$34,985,278 that were paid by Medicaid for the same child and the same date of service. In its report, the OSC stated that the NYC BOE accounted for over 97 percent of the duplicates and that all of the NYC BOE duplicates occurred in calendar year 1997. The OSC reported that after 1997, the NYC BOE implemented controls to prevent the duplicates from occurring; however, the OSC noted that the NYC BOE did not take steps to repay the overpayments.

We obtained a copy of the file containing the OSC duplicates and determined that there were 78,589 NYC BOE school claims totaling \$30,367,359 and 74,629 NYC BOE preschool claims totaling \$34,236,168 that were paid by Medicaid for the same child and the same date of service. As stated in the OSC report, for the most part, claims for a child should not be made by both a school and a preschool provider on the same date of service.

Our audit found that NYS voided and recouped \$30,548,090 (\$15,274,045 federal share) of these NYC BOE duplicates (either the NYC BOE school or preschool claim was allowable, but not both). The NYS DOH officials provided us with documentation that showed \$18,804,066 of the \$30,548,090 had been voided and recouped in August 2000 (a remittance statement shows the

recovery in September 2000) and the balance, or \$11,744,024, was recovered by NYS in March 2002. Therefore, contrary to NYS's January 2, 2001 written response to the OSC report, all duplicate school health claims made by the NYC BOE, and identified by the OSC, had not been recouped by this date. Rather, there was about a 14-month delay in this recoupment action.

As part of our audit, we ran computer programming applications at the MMIS fiscal agent to determine if these overpayments had been voided and recouped. Our applications verified that the duplicate NYC BOE school and preschool claims had been recovered during the periods indicated by the state.

We obtained reasonable assurance that the federal share of the recovered duplicate payments had been returned to the Federal Government. To obtain this assurance, we: (1) obtained and reviewed documentation from the NYS DOH showing the recoupment/void process, (2) met with NYS DOH officials to gain an understanding of how the federal share is returned when claims are voided/recouped, (3) reviewed four prior Office of Audit Services (OAS) reports regarding the voids process as it relates to recoupments of overpayments and the return of the federal share, and (4) relied on past OAS Medicaid audits and reviews.

In summary, our audit found that although NYS voided and recouped \$30,548,090 (\$15,274,045 federal share) of the duplicate school health claims made by the NYC BOE, and we have reasonable assurance the Federal Government received its share of these recoveries, the recoupments were not made timely.

NYC BOE Ceases to Claim for the Duplicates

We noted that, for the most part, the NYC BOE ceased claiming for the duplicates after the OSC's December 31, 1999 audit cut-off date. In its report, the OSC stated that after 1997, the NYC BOE implemented controls to prevent the duplicates from occurring.

As part of our audit, we ran a computer programming application at the MMIS fiscal agent to determine if duplicate school and preschool claims were made by the NYC BOE subsequent to the OSC's December 31, 1999 audit cut-off date. Our application identified only 27 claims representing 8 duplicates that were made during March 2000 through May 2000. The 27 claims totaled \$11,479 (\$5,740 federal share). Since these amounts were immaterial, we did not determine why they occurred.

Duplicate NYC BOE Claims Prior to the OSC Audit Period

We found that for periods prior to the OSC audit, duplicate school and preschool claims were submitted by and paid to the NYC BOE. In response to our audit, NYS officials identified and recouped \$27,624,087 (\$13,812,043 federal share) of duplicates in March 2002 for prior periods. However, our audit identified an additional \$5,642,918 (\$2,821,459 federal share) of duplicates that needs to be recovered.

Our review noted that as a result of OAS commencing our audit, NYS officials performed computer programming applications at the MMIS fiscal agent to identify duplicate school health claims made by the NYC BOE for periods prior to the OSC audit period. Based on these applications, NYS voided 72,120 NYC BOE school and preschool claims totaling \$27,624,087 (\$13,812,043 federal share). NYS DOH officials stated that these duplicate claims were voided and recouped in March 2002, or approximately four months after our audit field work commenced.

We performed computer programming applications at the MMIS fiscal agent and were able to verify that NYS voided the \$27,624,087 as it stated. However, our applications identified additional duplicate NYC BOE school and preschool claims that need to be recovered.

Specifically, our applications identified 30,357 school and preschool claims totaling \$11,772,513 (these amounts include the 27 claims mentioned above that were subsequent to the OSC audit period) that were paid by Medicaid to the NYC BOE for the same child and the same date of service. As an additional audit step, we verified that the 30,357 of duplicate claims were still on the MMIS paid claims' file as of June 2002 and therefore had not been voided by NYS.

Utilizing the same methodology that the state used to void and recoup the \$18,804,066, we identified 15,369 of the 30,357 duplicate claims totaling \$5,642,918 (\$2,821,459 federal share) that needs to be recovered. We will provide NYS officials with a database of the additional duplicate claims that need to be recouped.

Conclusions and Recommendations

Our review determined that the duplicate school and preschool claims submitted by and paid to the NYC BOE were not recouped in a timely manner. Additionally, we found that all duplicate claims have not been recovered. In this regard, we recommended that NYS:

1. Recoup the additional \$5,642,918 of duplicate claims identified by our audit and refund \$2,821,459 to the Federal Government.
2. Recover all duplicate Medicaid payments when they are identified and return the federal share of these overpayments to the Federal Government within 60 days of discovery as required by applicable federal regulations.

Auditee's Comments

State officials generally concurred with both our recommendations. Specifically, officials stated that they will review a file provided by us to determine which individual claims should be voided and return the federal share of those claims. Additionally, state officials noted that they will

return the federal share of overpayments in a timely manner when it has been determined that an overpayment has been made. The state's response is included in its entirety as an APPENDIX to this report.

OIG's Response

We are pleased to note that state officials generally concurred with our recommendations. We continue to recommend that they refund the \$2,821,459 to the Federal Government and that overpayments are returned to the Federal Government within 60 days of discovery.



Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Antonia C. Novello, M.D., M.P.H., Dr.P.H.
Commissioner

Dennis P. Whalen
Executive Deputy Commissioner

November 18, 2002

Timothy J. Horgan
Regional Inspector General for
Audit Services
DHHS OIG Office of Audit Services
26 Federal Plaza
Room 3900A
New York, New York 10278

Dear Mr. Horgan:

Enclosed are the Department of Health's comments on the DHHS - OIG's follow up audit report A-02-02-01018 entitled "Review of a Finding Contained in a New York State Office of the State Comptroller Audit Report on Duplicate School Health Claims to Medicaid Made by the New York City Board of Education."

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Whalen', with a long horizontal flourish extending to the right.

Dennis P. Whalen
Executive Deputy Commissioner

Enclosure

Department of Health
Comments on the
Department of Health and Human Services (DHHS)
Office of the Inspector General (OIG)
Follow Up Audit Report A-02-02-01018
“Review of a Finding Contained in a New York State
Office of the State Comptroller Audit Report on
Duplicate School Health Claims to Medicaid Made by the
New York City Board of Education”

The following are the Department of Health’s (DOH) comments in response to the Department of Health and Human Services (DHHS), Office of Inspector General (OIG) Draft Audit Report on “Follow Up Review of a Finding Contained in a New York State Office of the State Comptroller Audit Report on Duplicate School Health Claims to Medicaid Made by the New York City Board of Education”, number A-02-02-01018.

RECOMMENDATION #1:

Recoup the additional \$5,642,918 of duplicate claims identified by our audit and refund the \$2,821,459 to the Federal Government.

RESPONSE #1:

The Department is reviewing the file provided by the Office of Inspector General to determine which individual claims should be voided. The federal share will be returned for those claims that are determined to be voidable.

RECOMMENDATION #2:

Recover all duplicate Medicaid payments when they are identified and return the federal share of these overpayments to the Federal Government within 60 days of discovery as required by applicable federal regulations.

RESPONSE #2:

The Department will return the share of these overpayments timely when it has determined an overpayment has been made and claims have been voided.