

**Congressional Hearing Highly Critical of CMS over Medicare Fraud and Opioid Abuse:** At a recent Congressional Hearing, CMS was slammed for its failure to implement “commonsense recommendations.” Rep. Tim Murphy (R-Pa.), chair of the House Energy and Commerce Subcommittee on Oversight and Investigations, further alleged that CMS’ failure to implement such measures “has led to trends of questionable billing associated with pharmacies, prescribers and beneficiaries.” The OIG also took CMS to task, noting that while it is pushing for the prosecution of bad actors in the Medicare Part D program, CMS has to do its part and needs to step up its efforts as well. The Congressional Hearing’s criticism of CMS focused in large part on the increase in opioid abuse and comes on the heels of a CDC report released earlier this month that found Americans are becoming “primed” for heroin addiction through the growing use and abuse of prescribed opioid painkillers. Rep. Marsha Blackburn (R-Tenn.) issued a strong warning to CMS’ deputy administrator and director of Center for Program Integrity, Dr. Shantanu Agrawal, before his testimony. Rep. Blackburn cautioned “Don’t tell me you’re overworked, don’t tell me you don’t have enough money, when you got a job to do, you work until the job is done. You don’t deserve more money, because you not taking good care of the tax dollars now coming your way.” Dr. Agrawal responded that CMS is working on implementing the recommendations from OIG but was unable to give a timeline as to when all the recommendations would be fully adopted.

**New ICD-10 Bill would Permit Dual Coding for 180 Days:** A bill proposed earlier this month in the House would allow providers to bill under both the ICD-9 and ICD-10 codes for 180 days from the October 1, 2015 implementation date. Proponents of the bill argue that the dual coding would ensure providers will not go out of business if they try and fail to send ICD-10 claims or have a billing vendor that has not upgraded its system. The bill is supported by the Medical Group Management Association, a professional association for physician group practice leaders and managers. Dr. Halee Fischer-Wright, MGMA president and CEO, recently wrote a letter to Congress stating that the bill would afford physicians “much needed flexibility and provides a window of time to address inevitable system issues to ensure claims are processed and paid.”

**Queens Physician Sentenced for Conspiring to Illegally Distribute Oxycodone:** The Acting United States Attorney for the Eastern District of New York announced that a Queens physician was sentenced to 54 months in prison and \$20,000 forfeiture after pleading guilty to conspiring to illegally distribute oxycodone. The physician admitted that he provided prescriptions to a co-conspirator for patients he had not examined in exchange for cash, and continued to write prescriptions after surrendering his DEA registration to prescribe controlled substances. The Office of the United States Attorney for the Eastern District stated that the Prescription Drug Initiative, which is being undertaken in conjunction with the Drug Enforcement Agency (DEA), the five District Attorneys in the jurisdiction (Brooklyn, Queens, Richmond, Nassau and Suffolk Counties), the New York City Police Department and the New York State Police Department, along with several other federal, state and local agencies, has brought over 160 federal and local criminal prosecutions, including prosecution of 15 health care professionals. For more information see <http://ow.ly/PE8Nq>.

For more information on the above items, contact Kern Augustine Conroy & Schoppmann, P.C. at 1-800-445-0954 or via email at [info@DrLaw.com](mailto:info@DrLaw.com).



## INTRODUCING THE NEW PREMIER PROGRAM

We wanted to bring you a step closer to total legal coverage.

We thought you deserved more.

Email us at [info@ThePAP.com](mailto:info@ThePAP.com) for more details

To Stay Updated Daily: Search for “KERN AUGUSTINE CONROY & SCHOPPMANN, P.C.” on

