

OIG Utilizes Data Analytics to Identify Potential Illegal Dental Solicitation to Medicaid Clients

The Texas Health and Human Services (HHS) Office of Inspector General is utilizing data analytics to gain a further understanding of illegal dental solicitation. Data analytics also helps the OIG identify providers who warrant a closer review.

The OIG safeguards approximately \$40 billion in public funds disbursed annually to deliver HHS services, including Medicaid and the Children's Health Insurance Program (CHIP). The OIG's mission is to detect, prevent and deter fraud, waste and abuse in these and other HHS programs. The OIG safeguards the federal and state taxpayer dollars used to deliver these services through investigations, inspections, reviews and audits.

Illegal Dental Solicitation

The Texas Administrative Code prohibits providers from offering clients inducements to influence their health care decisions.¹ Texas has more stringent administrative rules than the federal government, and the Texas OIG enforces the stricter compliance standards. Solicitation can include:

- Unsolicited personal contact, such as direct mail, telephone and door-to-door solicitation.
- Canvassing neighborhoods, offering free transportation to clients.
- Offering gifts or other inducements designed to influence a client's choice of provider.

¹ Texas Government Code § 531.02115

- Cash, cash equivalents and gift cards in any amount are not permitted. These items include gift cards and dental services or credits to parents who bring in Medicaid-eligible patients for treatment.
- Non-cash related offers of goods or services of any value could constitute an impermissible inducement, but typically that would not be the case where the value of any individual item does not exceed \$10, the aggregate annual value does not exceed \$25, and the goods or services are directly related to the provider's profession. Examples might include a toothbrush or a tube of toothpaste from a dental provider.

Managed Care Organizations are required to establish guidelines that restrict their soliciting activities. Sanctions against providers who solicit patients can include provider education, exclusion from the program, disciplinary action from the Texas State Board of Dental Examiners, and penalties up to \$10,000 for each violation.

OIG Data Analytics

The OIG conducted a statewide examination of Medicaid dental claims between September 1, 2017 and August 31, 2018 (FY18). Nearly 5,400 non-specialist billing providers were included, along with 2.3 million patients who had received a general dental service.

OIG analysis revealed that client movement from one provider to another involves a minority of patients but a majority of providers. Eleven percent (257,790) of the patients in the data review received their services from two or more providers. Although a relatively small portion of the client population, that 11 percent was billed by 86 percent (4,662) of the non-specialist billing provider population. While client movement itself does not equate to solicitation, it does depict

the space within the client and provider populations where solicitation can exist.

Because switching providers can be a natural occurrence in the course of care, several data points were used to flag suspicious characteristics of provider activity that in high volumes can suggest patterns associated with solicitation. Red flags in the data include an unusually large number of new clients in a short period of time, clients receiving services on the same tooth from multiple providers, or excessive services performed following a switch in providers.

The data analysis integrated such factors and ranked the providers as low, medium or high risk of illegally soliciting patients. One percent of the providers analyzed were considered high risk. Eighteen percent fell in the medium risk range, and the majority — 81 percent — were considered low risk. The providers flagged by the data as high risk may be subject to closer scrutiny from the OIG via an audit, inspection or investigation.

Who Are the 1%?

1% of provider population had a higher risk score.

- 85% are group providers
- 15% are individual providers
- 60% located in DFW area
- 15% located in Houston area

Location of High Risk Dental Providers by Metropolitan Statistical Area



Going Forward

Provider education around fraud, waste and abuse continues to be a priority for the OIG. As a result of these findings, the OIG has begun sharing its analysis of the dental solicitation review with Dental Maintenance Organizations (DMOs) and provider organizations. Additional information and fraud alerts are available on the OIG website.

If you believe a provider is illegally soliciting Medicaid patients, please notify the OIG by calling 800-436-6184, or by using the Report Fraud form found on the OIG website at <https://oig.hhsc.texas.gov/report-fraud>. Your identity and contact information will be kept confidential to the extent permitted by law.