

SMP Consumer Fraud Alert: Hospice Fraud



Hospice Fraud is a Dangerous Fraud Trend

Hospice fraud is largely unreported and can cause direct patient harm if undetected. The term “hospice fraud” covers a variety of different types of fraud that are each detrimental in their own way. Fraudsters are targeting assisted living facility and nursing home residents whose life expectancy exceeds six months and are using high-pressure and unsolicited marketing tactics to get them to agree to hospice services.

Hospice fraud is potentially more dangerous for beneficiaries because hospice care provides palliative care only. This means the focus of care switches from curative care (treating the illness) to comfort care (quality of life). For example, when a beneficiary is receiving chemotherapy treatment for cancer and their coverage switches to hospice, the chemotherapy is no longer a covered treatment as it is a curative treatment. While the beneficiary can discontinue their hospice benefit at any time, this may prove difficult if they are dealing with a fraudulent hospice enrollment. While waiting to be disenrolled, the inability to receive lifesaving or curative treatment could be detrimental for the beneficiary.

Other dangers of hospice fraud include:

- Receiving inadequate or incomplete services from a hospice worker. This can include no skilled visits in the last week of life or providing less care on the weekends and disregarding a beneficiary’s care plan.
- Embezzling, abusing, or neglecting beneficiaries or medication theft by a hospice worker.
- Enrolling in hospice without the knowledge or permission of the patient or family.
- Falsely certifying or failing to obtain physician certification on plans of care.
- Providing gifts or incentives to encourage beneficiaries to elect hospice even though they may not be terminally ill.
- Billing for a higher level of care than needed or provided or for services not received.

The SMP recommends that beneficiaries should:

- Be sure their doctor has assessed their condition.
- Be sure their doctor has certified that they are terminally ill and expected to live six months or less if the disease runs its normal course.
- Never accept gifts in return for hospice services and be wary of “too-good-to-be-true” offers.
- Report quality-of-care complaints to their local SMP and the Beneficiary and Family Centered Care-Quality Improvement Organization (BFCC-QIO) (qioprogram.org/file-complaint).

The Senior Medicare Patrol (SMP) is ready to provide you with the information you need to PROTECT yourself from Medicare fraud, errors, and abuse; DETECT potential fraud, errors, and abuse; and REPORT your concerns. SMPs help educate and empower Medicare beneficiaries in the fight against health care fraud. Your SMP can help you with your questions, concerns, or complaints about potential fraud and abuse issues. It also provides information and educational presentations. To locate your local Senior Medicare Patrol, call 1-877-808-2468 or visit www.smpresource.org.