



Anti-Fraud Plan

2015-2016

Coalition Board Approval Date: May 26, 2015

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I. Plan Statement

The Anti- Fraud Plan addresses the detection and prevention of overpayments, abuse, and fraud relating to the provision of and payment for the School Readiness (SR) program and Voluntary Prekindergarten (VPK) program services. The Plan addresses parents or legal guardians of children enrolled in the SR or VPK programs. *Note: provider fraud is a violation of the terms of the contract and is addressed in the statewide contract rules.*

The Anti- Fraud Plan serves to support organizational processes and staff in prevention of fraud, build on employee knowledge and awareness of fraud prevention and describe the Coalition's procedures for detecting and investigating possible acts of fraud, abuse of services and related overpayment. Due process procedures for suspending or terminating a recipient's eligibility for SR or VPK programs and the recipient's right to appeal the decision are included in the Plan.

II. Plan Definitions

Recipient- The parent or legal guardian whose child was determined eligible for SR or VPK Education Program benefits.

Fraud- An intentional deception, omission, or misrepresentation made by a person with knowledge that the deception, omission, or misrepresentation may result in unauthorized benefit to that person or another person, or any aiding and abetting of the commission of such an act. The term includes any act that constitutes fraud under applicable federal or state law.

Suspension- When services are temporarily no longer provided, however, parents do not have to go to the waiting list when their suspension is finished.

Termination- When services are ended and the recipient would have to return to the waiting list when their termination is expired.

III. Description of Organization Structure with Plan Responsibilities

The Fraud/Benefit Recovery Specialist is responsible for implementing the Coalition's anti-fraud activities.

The Director of Program Operations is responsible for reviewing an initial appeal request by recipient for decision to uphold or modify the suspension or termination.

The following are responsible for the daily activities related to prevention, detection, investigation, and reporting of possible overpayment resulting from potential fraud or abuse:

Internal Means of Notification

Family Services Specialist
Reimbursement Specialist
Contract & Compliance Specialist
Program Integrity Specialist
Suspected Fraud Tip Line

External Means of Notification

Child Care Providers Centers & Homes
DFS/DPAF
DFS/DIF
Pinellas County License Board
CareerSource Pinellas
Office of Early Learning
Early Learning Coalitions
USDA Food Programs
LSF – Head Start/Early Head Start
R'Club Child Care – Food Program

Juvenile Welfare Board
Local/ State Law Enforcement
DCF
Pinellas County School Board
Early Steps/ FDLRS
Suspected Fraud Tip Line

IV. Plan Procedures

A. ELC Procedures Review

1. Director of Program Operations, Human Resources Generalist, Chief Financial Officer, and Chief Executive Officer will annually review job descriptions and internal processes to confirm appropriate separation of duties is in place, and review internal controls to reduce risk.

B. ELC Staff Education/Awareness/Training

1. Fraud/Benefit Recovery Department holds an annual meeting for Family Services Eligibility Staff on Fraud/Benefit Recovery, given by Department of Financial Services, Division of Public Assistance Fraud Unit.
2. Fraud/Benefit Recovery Specialist is a member of the Association of Certified Fraud Examiners and completes at a minimum of five (5) Continuing Professional Education hours annually.
3. Family Services Department holds a staff meeting twice a month to review any changes or issues that may arise.
4. All Departments under Program Services meet twice a month, which consist of the following departments; Contracts and Compliance, Family Services, Fraud/Benefit Recovery and Reimbursement.
5. Program Integrity continually monitors throughout the year and holds department meeting on their findings.

C. SR and VPK Parent Education and Awareness

1. Display fraud awareness posters in interview rooms at ELC
2. A fraud awareness statement is included in SR parent packets with ELC phone number to report any suspected fraud
3. Family Services will review responsibilities of parent in detail at interview, including importance of reporting changes in their circumstances within ten (10) days, which will include recipient signing an SR Scholarship Participant Agreement and receiving a VPK Parent Guide, if applicable.
4. Information about the ELC Fraud Tip Line is included on the ELC phone system hold menu.

D. SR and VPK Provider Education and Awareness

1. Encourage child care providers to report potential fraud to ELC staff through provider communication venues including email or portal communications, and appropriate provider group meetings
2. Periodic reminders to providers about having procedures in place to prevent fraud
3. Regular practices of monitoring that occur with providers that also keep providers aware of ELC's intention to prevent and/or detect fraudulent practices
4. Use of SR and VPK monitoring tools

E. Providers, Parents, Employees, and Public Access to Reporting of Potential Fraud

1. The Suspected Fraud Reporting form and phone number is on the ELC website; for the purpose of reporting potential fraud for parents, providers, employees, and general public.

F. ELC Detection and Investigation of Suspected Acts of Fraud, Abuse or Improper Payment

1. Monthly unscheduled reviews of work products and follow up on questionable circumstances are conducted by Family Services Training Coordinator, Monitoring and Compliance Specialist, and Fraud/Benefit Recovery Specialist
2. Monthly review, research, and follow up of data quality reports generated from Office of Early Learning are completed by Family Services Specialist and Monitoring and Compliance Specialist
3. Documented verification of child care referrals from other organizations through manager signature, if required, and periodic cross reference review of children in service
4. Daily alertness of Family Services Specialist to inconsistencies through regular operational processes with recipient(s). At initial placement and eligibility redetermination, the Coalition's Family Services Specialist reviews the recipient's information for "red flags". If the Specialist believes "red flags" exist, but cannot be confirmed, then the case is forwarded to the Director of Program Operations and the Fraud/Benefit Recovery Department for further review with an explanation on the ELC Investigation form. This will include consultation with the Department of Financial Services (DFS), the Division of Public Assistance Fraud (DPAF) and/or the Division of Insurance Fraud (DIF).
5. Once inconsistencies are identified through any of the above means, the ELC Fraud/Benefit Recovery Department will conduct a phone interview with recipient(s) (recipient will be told that the interview is being recorded) and obtain verification from parent or legal guardian within five (5) business days to resolve inconsistencies, which could include but not limited to income, residential documentation, or household composition, and determine if situation is resolved or warrants next steps of due process provisions for termination or suspension of SR or VPK benefits. – Family Services and Fraud/Benefit Recovery Department
6. The ELC Fraud/Benefit Recovery Specialist will save the recording of the phone call.
7. For those cases in which there is reasonable suspicion that a recipient has committed fraud in the receipt of SR or VPK services, calculate associated overpaid benefits amount and follow the due process provisions for termination or suspension of SR or VPK benefits – Fraud/Benefit Recovery, Family Services, Reimbursement and Finance Departments
8. After phone interview by ELC Fraud/Benefit Recovery Specialist, a follow up letter with delivery confirmation will be sent by ELC Fraud/Benefit Recovery Specialist requesting all documents to be sent within five (5) business days that will clarify or correct Coalition records.
9. If there is no response by recipient(s), case will be referred to DFS.

G. Benefit Recovery

Cases Below Minimum Threshold

In situations where DFS determines that there is reasonable suspicion fraud has occurred, but is unable to refer the case to the States Attorney's Office due to low restitution amount, the case will be processed through the repayment agreement process.

1. DFS determines that there is reasonable suspicion fraud has occurred, but refuses case due to restitution is below \$5,000.00
2. DFS shares findings and supporting documentation with ELC Fraud/Benefit Recovery Specialist.
3. ELC Fraud/Benefit Recovery Specialist Contacts recipient(s) and schedules an in person interview.
4. During the interview with the recipient(s), the ELC Fraud/Benefit Recovery Specialist and another ELC staff person, the ELC/DFS findings are shared and recipient(s) is given the opportunity to sign a repayment agreement or request a Review Hearing.
5. If the recipient(s) is still qualified for services and signs a repayment agreement, services will continue as long as the terms of the repayment agreement are being met.
6. Payments must be made by money order or cashier's check and payable to the Early Learning Coalition of Pinellas County.

7. ELC Fraud/Benefit Recovery Specialist or assigned ELC Staff person will write a receipt for each payment received and document payments in recipient(s) file.
8. All payments will be delivered to the Fiscal Department for further processing.
9. If the recipient fails to meet the terms of the repayment agreement, the ELC may choose to have the case resubmitted to DFS or file a civil action through Pinellas County Clerk of Court.
10. If recipient(s) requests a Review Hearing, the Coalition will follow the procedures outlined in the Client/Recipient Grievance and Complaint Resolution Policy. Services will continue until the Review Hearing is conducted and a final decision is made by the committee.
11. Fraud/Benefit Recovery Specialist or assigned ELC Staff person will document outcomes of the Review Hearing.
12. If the Review Hearing Committee determines that the evidence supports DFS's determination that fraud was committed, the recipient will be given the opportunity to sign a repayment agreement.

Improper Payments

In situations where recipient(s) has received SR/VPK where there is NOT reasonable suspicion of fraud, but an improper payment exists which exceeds \$250, the case will be processed through the repayment agreement process.

1. At time of eligibility redetermination, the Coalition's Family Services Specialist will review the recipient's information for any unreported changes that would change the parent/recipient co-pay or eligibility status.
2. The ELC Family Services Specialist will verify the new information to make sure the recipient(s) is still eligible for School Readiness funding.
3. If recipient no longer qualifies for SR funding they will be terminated with fourteen (14) calendar days' notice.
4. If recipient still qualifies for services they will continue to receive SR funding.
5. The ELC Family Services Specialist will fill out an Investigation Form, have it reviewed and signed by the Director of Program Operations, and placed in Fraud/Benefit Recovery mailbox. This applies to items 3 and 4 above.
6. ELC Benefit Recovery Specialist will confirm that there is no reasonable suspicion of fraud.
7. Fraud/Benefit Recovery will follow the steps 5-8 in the section above.

H. Monthly Reporting Process to OEL

The Fraud/Benefit Recovery Specialist will submit an electronic report monthly reporting the parents and providers terminated from services as a result of fraud, per Rule 6M.9.400 subsection (b).

Process for Mandatory Reporting Fraud and Abuse through the OEL Fraud Referral System

The Fraud/Benefit Recovery Specialist is the designated administrator for the Office of Early Learning's *Fraud Referral System*. Contact information:

Margaret "Peggy" Comerford
Early Learning Coalition of Pinellas County
pcomerford@elcpinellas.net (727) 400-4458

At the point when potential fraud has been communicated to the recipient, the Fraud/Benefit Recovery Specialist makes a mandatory referral for potential fraud or abuse investigation using Office of Early Learning *Fraud Referral System*. The referral includes the recipient information, amount of overpayment; discover date and a brief summary of the allegations, and notifications of any evidencing documents available that substantiate the allegations.

Note the Coalition's fraud investigation and appeals procedures outlined in this plan will complement the OEL referral process to Department of Financial Services through the *Fraud Referral System*.

I. Plan Contact:

Margaret “Peggy” Comerford, Fraud/Benefit Recovery Specialist, ELC of Pinellas County,
pcomerford@elcpinellas.net

Attachment A

ELCPC-10.1A Provider Grievance and Due Process Policy

Attachment B

ELCPC-10.1B Client/Recipient Grievance and Complaint Resolution Policy

Attachment C

ELCPC-10.6 Suspected Employee Fraud Policy

Attachment D

ELCPC-50.1 Suspected Provider and Client Fraud and Misrepresentation Policy