



FALSE CLAIMS ACT:

Training for HHSA Contractors

County of San Diego – Health and Human Services
Business Assurance and Compliance

April 2024

Disclaimer



These slides are intended to help HHSAs manage False Claims Act (FCA) training requirements. In no way are these slides intended to serve as a replacement for ensuring your agency's adherence to the False Claims Act, nor are these slides necessarily a comprehensive set of training requirements. We encourage HHSAs to review these slides before providing to their staff to assess whether these slides meet your needs. We also encourage you to ensure your staff know how to report potential false claims through your internal channels, as well as to the proper authorities.

Background



- The Federal and State FCA were enacted to combat fraud, waste, and abuse committed by contractors against the government.
- The FCA rules can be found here:

Federal False Claims Act:
<https://www.justice.gov/civil/false-claims-act>

California False Claims Act:
https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=12650.&article=9.&highlight=true&keyword=False%20Claims%20Act

Defining False Claims



'False Claims' are when someone, knowingly:

- Presents false/fraudulent claims to the Fed or State (or conspires to do so)
- Causes, makes, or uses a false record or statement to get a false claim paid (or conspires to do so), support an obligation to the government, or decrease such an obligation
- Falsifies receipt for state property or delivers less property than indicated
- Buys/takes a pledge of public property from another not authorized to do so
- Benefits from a false claim to the Fed or State
- Benefits from an inadvertent submission of a false claim and fails to disclose the false claim after discovery

Examples of False Claims



'False Claims' are when someone, knowingly:

- Client billing
 - Charting more time for a service than provided
 - Charting an inaccurate diagnosis to facilitate payment
 - Claiming services that were not medically necessary
 - Claiming actual service using higher credential
- Having staff work on contracts without appropriate EDM checks or licensures
- Falsifying mileage reports or other reimbursables
- Inflating staff timecards

False Claims Act



What are workforce members' obligations?

- Workforce members have a duty to prevent fraud, waste, and abuse of taxpayer dollars
- Workforce members are obligated to report suspected instances of fraud, waste, and abuse
 - Both the State and Federal FCAs contain provisions protecting whistleblowers from retaliatory actions stemming from reports of fraud, waste, and abuse

False Claims Act



What else should workforce members know?

- The FCA encourages workforce members to come forward when they believe false claims are happening
- Whistleblowers may receive financial rewards for coming forward, including a percentage of the amount recovered

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To whom do I report?

- Have you checked with your supervisor or manager?
- Most agencies have their own compliance officer/hotline to whom you can report internally
- You are encouraged to share concerns with the County. Business Assurance & Compliance takes all complaints seriously and will do their best to investigate them.
- The County also has an anonymous hotline:
 - 1-866-549-0004

False Claims Act



More questions? Ask us!

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