



Date: 04/20/11

Web Announcement 388

Reminder to All Providers Regarding Social Security Act Violations

Under section 1128A(a)(5) of the Social Security Act (the Act), enacted as part of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), a person who offers or transfers to a Medicare or Medicaid beneficiary/recipient any remuneration that the person knows or should know is likely to influence the beneficiary's/recipient's selection of a particular provider, practitioner or supplier of Medicare or Medicaid payable items or services, may be liable for civil money penalties (CMPs) of up to \$10,000 for each wrongful act.

All Nevada Medicaid providers are subject to audits and reviews conducted by various state and federal agencies. Should a violation of 1128A(a)(5) of the Act be identified during an audit or review, the provider may be referred to the federal Department of Health and Human Services' Office of Inspector General (OIG) for prosecution and/or exclusion from participating in any federal healthcare programs.