

January 2006

Re: **2006 Work Plan of the Office of Inspector General (OIG)**

Dear Madam or Sir:

As part of our continuing effort to keep you apprised of developments in health care law and related matters, we have obtained a copy of the OIG's Work Plan for Fiscal Year 2006 (the "Work Plan"). The Work Plan details the OIG's audit, evaluative, investigative and enforcement priorities for the year. The areas of interest in 2006 include the following:

- ***Billing Service Companies.*** The OIG intends to review the arrangements between billing companies and the physicians and other Medicare providers who use their services to determine the impact of these arrangements on physicians' billings.
- ***Physician Pathology Services.*** The OIG intends to review the relationships between physicians who furnish pathology services in their offices and outside pathology companies.
- ***PT and OT Services.*** The OIG will review claims for therapy services performed by physical therapists and occupational therapists to determine whether the services were reasonable and medically necessary, adequately documented and certified by physician certification statements.
- ***Cardiography, Echocardiography and Coronary Artery Stents.*** The OIG will review Medicare payments for cardiography and echocardiography services to determine whether physicians billed appropriately for the professional and technical components of the services. The OIG will also review inpatient and outpatient claims involving arterial stent implantation to determine whether Medicare payments were appropriate, and will conduct medical reviews to determine whether the services were medically necessary and supported by adequate documentation.
- ***Anti-Kickback Statute Safe Harbors.*** The OIG anticipates that in 2006, several new safe harbor exemptions from the anti-kickback statute will be published, including safe harbors related to the new Medicare Modernization Act. As public comments regarding proposed new safe harbors are considered by the Office of Counsel to the Inspector General (OCIG), we encourage you to submit your suggestions to OCIG.

The foregoing list is a mere sampling of the OIG's priority issues in 2006. The Work Plan is said to be a "dynamic, year-round process, adjusting to new issues, new information and shifts in the priorities of Congress, the President and the Secretary." While it is interesting to note the issues raised in the Work Plan, it would be a mistake to rely exclusively upon the Work Plan as an indication of what the OIG will investigate and/or prosecute in the year ahead. As such, you should strive to ensure that your practices are in full compliance with *all* applicable laws and regulations, not just those areas enumerated in the Work Plan.

Please feel free to contact our office with any questions about the OIG Work Plan.