

From: [Sunset Advisory Commission](#)
To: [Cecelia Hartley](#)
Subject: FW: HHSC
Date: Monday, October 13, 2014 7:49:06 AM

From: john oliver
Sent: Friday, October 10, 2014 6:13 PM
To: Sunset Advisory Commission
Subject: FW: HHSC

From:
To: sunset@sunset.state.tx.us
Subject: FW: HHSC
Date: Fri, 10 Oct 2014 18:11:09 -0500

From:
To: info@tdmr.org
Subject: FW: HHSC
Date: Fri, 10 Oct 2014 18:05:40 -0500

Cyndee

I have not been able to send this to the sunset commission. When I try it comes back with delivery failure. Can you please forward for me?

Thank you
John Oliver

From:
To: sunset@sunset.tx.state.gov
Subject: HHSC
Date: Fri, 10 Oct 2014 18:01:32 -0500

My name is John Oliver. I am an orthodontist in Brownwood, Texas. I provided orthodontic services for Medicaid children for probably twenty years. For most of this time the program was run smoothly and services were approved for only those children meeting the approval

of Dr. George Shia. He was fair but strict in patients he approved. Then in about 2008 things changed. Models no longer had to be submitted for approval and in fact I was told they would not even be accepted. I spoke with Dr. Shia about this being a problem as the score sheet for approval was based solely on the models so there was no way for HHSC to evaluate a given case. He agreed but informed me that it was not his decision and the state had made its decision to follow that method. A decision which we now all know was a disaster that led to the ruin of a well functioning and effective program.

I have always continued to treat only those children I thought met the criteria for approval although I never thought the scoring system was effective and repeatable. I treated all my Medicaid patients exactly the same as regular patients and doubt if I ever made a profit off of these patients as reimbursement rates barely covered overhead.

Then two or three years ago an inspector for OIG showed up at my office accusing me of fraud for treating patients that did not meet the criteria even though each case had been approved before treatment began as required with all the supporting documentation. I now know I was selected not for any reasonable suspicion of fraud but solely because I treated a large population of Medicaid children. At this same time our Medicaid representative was trying to get me to expand the area from which we would accept patients. I have not heard back from the OIG regarding this matter since the day I provided them with the requested patient records.

Several years ago we converted from paper records to digital records. One of the benefits supposedly would be that insurance claims would be filed automatically. The system worked quite well with every company with the exception of Texas Medicaid. It made all claims properly except it automatically placed the date of service as the 1st of the month following the actual date of service. We contacted Medicaid regarding this problem but it took nine months to resolve and now works fine. At no time was I paid for a service I did not provide. In June of this year I received notice from the OIG that I have been placed under 100% payment hold as they are charging me with fraud for reporting all services as having been provided on the first. I did respond but as yet have not heard back. As I had a record dating back many years with Medicaid any observer should have noted this nine month anomaly and cleared up the matter with a simple phone call. I am not a lawyer but I would think that fraud would have to be an attempt to gain payment for a service that was not provided and some attempt at deception would have had to have occurred. Since I never requested payment for a service I did not provide and also notified Medicaid at the time of the problem I do not see how I could have committed fraud. As I say a phone call would have cleared up the matter and saved myself and the state a lot of trouble.

I did not renew my Medicaid credentials this year due to all of the above problem and regret that the program has been destroyed by a combination of state incompetence, inept

management by Xerox, and probably a few greedy dentists. I did receive a phone call a month ago from our Medicaid representative asking if I would consider reinstating with Medicaid as they have too few providers in this area of Texas. Is there any wonder after the actions of the OIG?

Thank You

John Oliver DDS

Brownwood, Texas