

VFC Program

Fraud and Abuse



Department of
Public Health
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Program Definitions of Fraud and Abuse

The following definitions, as defined in the Medicaid regulations at 42 CFR § 455.2, apply to VFC Program Operations.

Fraud: *“An intentional deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to himself or some other person. It includes any act that constitutes fraud under applicable federal or state law.”*

Abuse: *“Provider practices that are inconsistent with sound fiscal, business, or medical practices, and result in an unnecessary cost to the Medicaid program, [and/or including actions that result in an unnecessary cost to the immunization program, a health insurance company, or a patient]; or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards for health care. It also includes recipient practices that result in unnecessary cost to the Medicaid program.”*

Examples of Fraud and Abuse

Fraud or abuse can occur in many ways. The VFC Program differentiates between intentional fraud and abuse and unintentional abuse or error. Some examples of potential fraud/abuse:

- Providing VFC vaccine to non-VFC-eligible children
- Selling or otherwise misdirecting VFC vaccine
- Billing a patient or third party for VFC vaccine
- Charging more than the established maximum regional charge (\$23.14) for administration of a VFC vaccine to a federally vaccine-eligible child
- Not providing VFC-eligible children VFC vaccine due to parents' inability to pay for administration fee
- Not implementing provider enrollment requirements of the VFC Program
- Failing to screen patients for VFC eligibility
- Failing to maintain records and comply with other requirements of the VFC Program
- Failing to fully account for VFC vaccine
- Failing to properly store and handle VFC vaccine
- Ordering VFC vaccine in quantities or patterns that do not match provider profile or otherwise involves over-ordering of VFC doses
- Wastage of VFC vaccine

Consequences of Fraud and Abuse

The VFC Program will attempt to work collaboratively with providers to address issues of program noncompliance. The program will consider previous compliance issues and potential extenuating circumstances in determining remedial action(s). The goal is to work with providers in as positive a manner as possible to correct noncompliant behaviors and restore VFC Program privileges. Intervention may include any or a combination of the following actions:

- Education and follow-up
- Site visits
- Suspension from the VFC Program until corrective action are taken
- Termination from the VFC Program
- Referral to external agency (e.g. Medicaid) for further fraud and abuse investigation

Philadelphia Department of Public Health - Division of Disease Control - Immunization Program

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