



Dave Yost • Auditor of State

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**S. LYNELLE MAINES
GEAUGA COUNTY**

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Independent Auditor's Report

S. Lynelle Maines
12790 Bass Lake Road
Chardon, Ohio 44024

RE: Medicaid Provider Number 2703257

Dear Ms. Maines:

We examined S. Lynelle Maines (the Provider) for compliance with Ohio Administrative Code (Ohio Admin. Code) §§ 5101:3-45-10 and 5101:3-46-04 during the period of January 1, 2008 to December 31, 2010. Our examination was performed under our authority in Section 117.10 of the Ohio Revised Code. Ms. Maines is responsible for compliance with those requirements. Our responsibility is to report on the Provider's compliance based on our examination.

Our examination included reviewing, on a test basis, evidence about the Provider's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe our examination provides a reasonable basis for our conclusions. Our examination does not provide a legal determination on the Provider's compliance with specified requirements.

We examined 100 Personal Care Aide services rendered in Geauga County and identified no errors relating to non-compliance with those requirements.

Copies of this report are being sent to the Office of Medical Assistance¹; the Medicaid Fraud Control Unit of the Ohio Attorney General's Office; and the U.S. Department of Health and Human Services/Office of Inspector General. In addition, copies are available to the public on the Auditor of State website at www.ohioauditor.gov.

Sincerely,

A handwritten signature in black ink that reads "Dave Yost".

Dave Yost
Auditor of State

April 18, 2013

¹ Effective September 10, 2012. OMA replaced the Ohio Department of Job and Family Services (ODJFS) as the single state agency responsible for supervising the administration of Ohio's Medicaid program pursuant to Ohio Rev. Code § 5111.01.

Compliance Report for S. Lynelle Maines

Background

Title XIX of the Social Security Act, known as Medicaid, provides federal cost-sharing for each state's Medicaid program. Medicaid provides health coverage to families with low incomes, children, pregnant women, and people who are aged, blind, or who have disabilities. Hospitals, long-term care facilities, managed care organizations, individual practitioners, laboratories, medical equipment suppliers, and others (all called "providers") render medical, dental, laboratory, and other services to Medicaid patients. The rules and regulations that providers must follow are specified in the Ohio Administrative Code and the Ohio Revised Code. The fundamental concept underlying the Medicaid program is medical necessity of services: defined as services which are necessary for the diagnosis or treatment of disease, illness, or injury, and which, among other things, meet requirements for reimbursement of Medicaid covered services. See Ohio Admin. Code § 5101:3-1-01(A).

The Auditor of State performs examinations to assess provider compliance with Medicaid rules to ensure that services billed to Ohio Medicaid are properly documented and consistent with professional standards of care, and medical necessity. According to Ohio Admin. Code § 5101:3-1-17.2(D), Medicaid providers must "maintain all records necessary and in such form so as to fully disclose the extent of services provided and significant business transactions" for a period of six years or until any audit initiated within the six year period is completed. Providers must furnish such records for audit and review purposes. Ohio Admin. Code § 5101:3-1-17.2(E).

Ms. Maines' Ohio Medicaid Provider number is 2703257 and is a non-agency personal care aide located in Geauga County who furnishes waiver services to an Ohio Medicaid recipient. Ms. Maines terminated her Medicaid Provider Agreement effective November 26, 2012. The Provider received reimbursement of \$207,886.70 for 1,096 paid personal care aide services rendered during the examination period.

Ohio Medicaid recipients may be eligible to receive personal care aide services in the consumer's home. Personal care aides assist the consumer with activities of daily living such as bathing, dressing, household chores and accompanying the consumer to medical appointments. See Ohio Admin. Code § 5101:3-46-04(B)(1).

Qualifying personal care aide services are rendered to consumers in an OMA administered waiver program. Personal care aide services are authorized in the All Services Plan (ASP) which lists all services approved for the consumer under the waiver program, including the type of service, frequency and duration; and it specifies which provider can render services and subsequently bill Ohio Medicaid for those services. The number of hours billed cannot exceed the number of hours approved by a case manager in the ASP. Ohio Admin. Code § 5101:3-46-04(B)(2). Prior to rendering services, personal care aides are required to complete a competency evaluation and maintain a current first aid certification. Ohio Admin. Code § 5101:3-46-04(B)(7)(a). Documentation to support the service rendered must include: the date of service, the tasks performed or not performed, the arrival and departure times, and the signatures of the personal care aide and the consumer upon completion of service delivery. Ohio Admin Code § 5101:3-46-04(B)(8)(g).

Purpose, Scope, and Methodology

The purpose of this examination was to examine Medicaid reimbursements made to the Provider and determine whether the Provider's Medicaid claims for reimbursement complied with Ohio Medicaid regulations. Please note that all rules and code sections relied upon in this report were those in effect during the audit period and may be different from those currently in effect. At the conclusion of the examination, we will identify, if appropriate, any findings resulting from non-compliance.

The scope of the engagement was limited to an examination of personal care aide services for which the Provider rendered to Medicaid patients and received payment during the period of January 1, 2008 to December 31, 2010.

Ms. Maines cared for one consumer during the examination period. We received the Provider's paid claims history from the Medicaid Management Information System database of services billed to and paid by Ohio's Medicaid program. We excluded denied claims. Our sample population was all remaining personal care aide services billed and paid during the examination period. We selected a random sample of 100 services to facilitate a timely and efficient examination of the Provider's personal care aide services as permitted by Ohio Admin. Code § 5101:3-1-27(B)(1). We obtained and reviewed service documentation for the identified sample of services. We examined the records to verify they contained documentation of dates and times, tasks performed, and signatures of the Provider and consumer.

We obtained all of the ASPs for the consumer to determine if the Provider was authorized to render services for the examination period. We also reviewed the ASPs to determine if there were any gaps in the authorization spans. In addition, we verified whether the Provider was first aid certified during the examination period.

Concurrent to rendering Medicaid waiver personal care aide services, Ms. Maines was also a provider of personal care assistance services funded through the Ohio Rehabilitation Services Commission (RSC). We obtained supporting documentation for services funded by RSC to determine whether the Provider received duplicate payments for the same service.

An engagement letter was sent to the Provider on December 11, 2012, setting forth the purpose and scope of the examination. Our fieldwork was performed December 27, 2012. After conducting our initial review of records, we obtained additional information from the Provider and RSC and examined this additional information for compliance.

Results

A sample of 100 personal care aide services was selected and examined to ensure there was documentation to support the Medicaid reimbursed service. We found no noncompliance in the sample reviewed. We verified the Provider was first aid certified for the audit period. Ms. Maines was authorized as the recipient's personal care aide service provider during the examination period and there were no gaps between the ASP spans.

The schedule for personal care assistance services funded by RSC showed no overlap in times with services paid by Ohio Medicaid. We noted that the Provider was paid for significant hours of each day between the two programs and that it included some hours when the Provider would be sleeping. We verified that there was no RSC rule or policy that prevents a participant in its program from paying an attendant to sleep.

Provider Response

A draft report was mailed to the Provider on May 28, 2013 and the Provider was afforded an opportunity to respond to this examination report.

The Provider declined to submit an official response to the results noted above.

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S. LYNELLE MAINES

GEAUGA COUNTY

CLERK'S CERTIFICATION

This is a true and correct copy of the report which is required to be filed in the Office of the Auditor of State pursuant to Section 117.26, Revised Code, and which is filed in Columbus, Ohio.

Susan Babbitt

CLERK OF THE BUREAU

**CERTIFIED
JUNE 18, 2013**