



OHIO AUDITOR OF STATE
KEITH FABER



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INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE WITH REQUIREMENTS OF THE MEDICAID PROGRAM APPLICABLE TO SELECT PAYMENTS FOR PROFESSIONAL MEDICAL SERVICES

Ohio Department of Medicaid
50 West Town Street, Suite 400
Columbus, Ohio 43215

RE: LLA Therapy, LLC
Ohio Medicaid Number: 0193221 National Provider Identifier: 133628705

We examined compliance with specified Medicaid requirements for select payments during the period of January 1, 2020 through December 31, 2022 for LLA Therapy, LLC (LLA Therapy).

We tested the following select payments:

- All recipient dates of service (RDOS)¹ that included potential duplicate services;
- 10 RDOS with the greatest number of units; and
- A sample of RDOS with greater than 32 units.

LLA Therapy entered into an agreement with the Ohio Department of Medicaid (the Department) to provide services to Medicaid recipients and to adhere to the terms of the provider agreement, Ohio Revised Code, Ohio Administrative Code, and federal statutes and rules, including the duty to maintain all records necessary and in such form so as to fully disclose the extent of services provided and significant business transactions. Management of LLA Therapy is responsible for its compliance with the specified requirements. The Compliance Section of this report identifies the specific requirements examined. Our responsibility is to express an opinion on LLA Therapy's compliance with the specified Medicaid requirements based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants (AICPA). Those standards require that we plan and perform the examination to obtain reasonable assurance about whether LLA Therapy complied, in all material respects, with the specified requirements referenced above. We are required to be independent of LLA Therapy and to meet our ethical responsibilities, in accordance with the ethical requirements established by the AICPA related to our compliance examination.

An examination involves performing procedures to obtain evidence about whether LLA Therapy complied with the specified requirements. The nature, timing and extent of the procedures selected depend on our judgment, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our modified opinion. Our examination does not provide a legal determination on LLA Therapy's compliance with the specified requirements.

¹ An RDOS is defined as all services for a given recipient on a specific date of service

Internal Control over Compliance

LLA Therapy is responsible for establishing and maintaining effective internal control over compliance with the Medicaid requirements. We did not perform any test of the internal controls and we did not rely on the internal controls in determining our examination procedures. Accordingly, we do not express an opinion on the effectiveness of LLA Therapy's internal control over compliance.

Basis for Qualified Opinion

Our examination disclosed, in a material number of instances, there was no documentation to support the payment and treatment plans were not signed by the professional who recorded it.

Qualified Opinion on Compliance

In our opinion, except for the effects of the matters described in the Basis for Qualified paragraph, LLA Therapy has complied in all material respects, with the select requirements for the selected payments for the period of January 1, 2020 through December 31, 2022. Our testing was limited to the specified Medicaid requirements detailed in the Compliance Section. We did not test other requirements and, accordingly, we do not express an opinion on LLA Therapy's compliance with other requirements.

We identified improper Medicaid payments in the amount of \$4,413.55. This finding plus interest in the amount of \$629.75 (calculated as of November 7, 2024) totaling \$5,043.30 is due and payable to the Department upon its adoption and adjudication of this examination report. Services billed to and reimbursed by the Department, which are not validated in the records, are subject to recoupment through the audit process in accordance with Ohio Admin. Code 5160-1-27. If waste and abuse are suspected or apparent, the Department and/or the Office of the Attorney General will take action to gain compliance and recoup inappropriate or excess payments per Ohio Admin. Code 5160-1-29(B).²

This report is intended solely for the information and use of LLA Therapy, the Department, and other regulatory and oversight bodies, and is not intended to be, and should not be used by anyone other than these specified parties.



Keith Faber
Auditor of State
Columbus, Ohio

December 17, 2024

² "Waste" means any preventable act such as inappropriate utilization of services or misuse of resources that results in unnecessary expenditures to the Medicaid program. "Abuse" means provider practices that are inconsistent with sound fiscal, business, or medical practices, and result in an unnecessary cost to the Medicaid program, or in reimbursement for services that are not medically necessary or that fail to meet professionally recognized standards for health care. Ohio Admin. Code 5160-1-29(A)

COMPLIANCE SECTION

Background

Title XIX of the Social Security Act, known as Medicaid, provides federal cost-sharing for each State's Medicaid program. The rules and regulations for the program are specified in the Ohio Administrative Code and the Ohio Revised Code. 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 from receipt of payment or until any audit initiated within the six-year period is completed. Per Ohio Admin. Code 5160-1-17.2 (D) and (E), providers must furnish such records for audit and review purposes.

LLA Therapy is a professional medical group (type 21) in Fairlawn, Ohio and renders services in four office locations including Fairlawn, Mentor, Medina and Hudson. LLA Therapy received payment of approximately \$1.4 million for over 20,000 professional medical services.³

Table 1 contains the procedure codes and descriptions selected for this compliance examination.

Table 1: Services and Descriptions	
Procedure Code	Description
92507	Treatment of speech, language, voice, communication, and/or auditory processing disorder; individual
92526	Treatment of swallowing dysfunction and/or oral function for feeding
97110	Therapeutic procedure, 1 or more areas, each 15 minutes; therapeutic exercises to develop strength and endurance, range of motion and flexibility
97112	Therapeutic procedure, 1 or more areas, each 15 minutes; neuromuscular reeducation of movement, balance, coordination, kinesthetic sense, posture, and/or proprioception for sitting and/or standing activities
97140	Manual therapy techniques (e.g., mobilization/ manipulation, manual lymphatic drainage, manual traction), 1 or more regions, each 15 minutes
97151	Behavior identification assessment, administered by a physician or other qualified health care professional, each 15 minutes of the physician's or other qualified health care professional's time face-to-face with patient and/or guardian(s)/caregiver(s) administering assessments and discussing findings and recommendations, and non-face-to-face analyzing past data, scoring/interpreting the assessment, and preparing the report/treatment plan
97153	Adaptive behavior treatment by protocol, administered by technician under the direction of a physician or other qualified health care professional, face-to-face with one patient, each 15 minutes
97155	Adaptive behavior treatment with protocol modification, administered by physician or other qualified health care professional, which may include simultaneous direction of technician, face-to-face with one patient, each 15 minutes
97156	Family adaptive behavior treatment guidance, administered by physician or other qualified health care professional (with or without the patient present), face-to-face with guardian(s)/caregiver(s), each 15 minutes
97530	Therapeutic activities, direct (one-on-one) patient contact (use of dynamic activities to improve functional performance), each 15 minutes

³ Payment data from Medicaid Information Technology System.

Table 1: Services and Descriptions (Continued)	
Procedure Code	Description
97535	Self-care/home management training (e.g., activities of daily living (ADL) and compensatory training, meal preparation, safety procedures, and instructions in use of assistive technology devices/adaptive equipment) direct one-on-one contact, each 15 minutes

Source: Optum EncoderPro – online subscription-based coding and reference tool

Purpose, Scope, and Methodology

The purpose of this engagement was to determine whether LLA Therapy's claims for payment complied with Ohio Medicaid regulations. Please note that all rules and code sections relied upon in this report were those in effect during the examination period and may be different from those currently in effect. The scope of the engagement was limited to select payments for professional medical services, as specified below, for which LLA Therapy billed with dates of service from January 1, 2020 through December 31, 2022 and received payment.

We obtained LLA Therapy's fee-for-service payment claims from the Medicaid database of services billed to and paid by Ohio's Medicaid program. We also obtained paid claims data from two managed care entities (MCE) and confirmed the services were paid to LLA Therapy's tax identification number. From the combined FFS and MCE claims data, we removed services paid at zero, third-party payments, co-pays and Medicare crossover claims. From the remaining total paid services, we selected the following payments:

We selected all RDOS which contained potential duplicate services (procedure codes 92507, 97110, 97112, 97140, 97151, 97156, 97530 and 97535) (RDOS with Potential Duplicate Services Exception Test), 10 RDOS with the greatest number of units (procedure codes 92507, 97110, 97112, 97151, 97153, 97155, 97156, 97530 and 97535 (10 RDOS with Greatest Number of Units Exception Test) and a random sample of 50 RDOS with greater than 32 units (procedure codes 92507, 92526, 97110, 97112, 97151, 97153, 97155, 97156, 97530 and 97535) (RDOS with Greater than 32 Units Sample).

The exception test and calculated sample size are shown in **Table 2**.

Table 2: Exception Tests and Sample			
Universe	Population Size	Sample Size	Selected Payments
Exception Tests			
RDOS with Potential Duplicate Services			34
10 RDOS with Greatest Number of Units			96
Sample			
RDOS with Greater than 32 Units	996 RDOS	50 RDOS	165
Total			295

A notification letter was sent to LLA Therapy setting forth the purpose and scope of the examination. During the entrance conference, LLA Therapy described its documentation practices and billing process. During fieldwork, we obtained an understanding of the electronic health record system used to capture documentation of services and we reviewed service documentation. We sent preliminary results to LLA Therapy, and it subsequently submitted additional documentation which we reviewed for compliance prior to the completion of our fieldwork.

Results

The summary results are shown in **Table 3**. The non-compliance and basis for findings is discussed below in further detail.

Table 3: Results			
Universe	Payments Examined	Non-compliant Payments	Improper Payment
Exception Tests			
RDOS with Potential Duplicate Services	34	12	\$719.72
10 RDOS with Greatest Number of Units	96	4	\$636.06
Sample			
RDOS with Greater than 32 Units	165	19	\$3,057.77
Total	295	35	\$4,413.55

A. Provider Qualifications

Exclusion or Suspension List

Per Ohio Admin. Code 5160-1-17.2(H), in signing the Medicaid provider agreement, a provider agrees that the individual practitioner or employee of the company is not currently subject to sanction under Medicare, Medicaid, or Title XX; or is otherwise prohibited from providing services to Medicaid beneficiaries.

We identified 51 practitioners in the service documentation for the selected services and compared their names to the Office of Inspector General exclusion database and the Department's exclusion/suspension list. We also identified 10 administrators and compared their names to the Office of Inspector General exclusion database and the Department's exclusion/suspension list. We found no matches.

Professional Services

Per Ohio Admin. Code 5160-8-35 practitioners may render a skilled therapy service in the applicable discipline, within their scope of practice, and in accordance with any requirements established by their credentialing board.

Based on the e-License Ohio Professional Licensure System, the 22 licensed practitioners identified in the documentation held a current and valid license on the first date of service in our selected payments and were valid during the remainder of the examination period.

B. Service Documentation

All Medicaid providers are required by Ohio Admin. Code 5160-1-27(A) to keep records to establish medical necessity and meet requirements that include, but are not limited to, disclosing the type and extent of services provided to Medicaid recipients.

We obtained service documentation from LLA Therapy and compared it to the required elements.

B. Service Documentation (Continued)

RDOS with Potential Duplicate Services Exception Test

The 34 services examined contained the following errors:

- Nine instances in which there was no documentation to support the payment;
- Two instances in which the service documentation did not contain a description of the service rendered; and
- One instance in which the documentation did not contain the duration of the service.

These 12 errors resulted in the improper payment of \$719.72.

10 RDOS with Greatest Number of Units Exception Test

The 96 services examined contained three instances in which there was no service documentation to support the payment. These three errors are included in the improper payment amount of \$636.06.

RDOS with Greater than 32 Units Sample

The 165 services examined contained one instance in which the units billed were greater than the documented duration. This one error is included in the improper payment amount of \$3,057.77.

Recommendation

LLA Therapy should develop and implement procedures to ensure that all service documentation and billing practices fully comply with requirements contained in Ohio Medicaid rules. In addition, LLA Therapy should implement a quality review process to ensure that documentation is complete and accurate prior to submitting claims for payment. LLA Therapy should address the identified issues to ensure compliance with the Medicaid rules and avoid future findings.

C. Authorization to Provide Services

Clinical documentation includes a treatment plan for skilled therapy services and includes specification of the amount, duration and frequency of each skilled therapy service to be rendered in accordance with Ohio Admin. Code 5160-8-35(E)(2).

We obtained treatment plans from LLA Therapy for the sampled payments to determine if all payments were supported by a signed treatment plan and compared the required elements.

10 RDOS with Greatest Number of Units Exception Test

The 96 services examined contained one instances in which the treatment plan did not authorize the service rendered. This one error is included in the improper payment of \$636.06.

RDOS with Greater than 32 Units Sample

The 165 payments examined contained 16 instances in which the treatment plan was not signed by a qualified practitioner and two instances in which the treatment plan did not authorize service rendered. These 18 errors are included in the improper payment of \$3,057.77.

We did not test authorization to provide services in the RDOS with Potential Duplicate Services Exception Test.

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Recommendation

LLA Therapy should develop and implement controls to ensure that all services billed are authorized by a signed treatment plan. LLA Therapy should address the identified issue to ensure compliance with Medicaid rules and avoid future findings.

Official Response

LLA Therapy submitted an official response to the results of this examination which is presented in the **Appendix**. We did not examine LLA Therapy's response, and, accordingly, we express no opinion on it.

Appendix



December 17th, 2024

Keith Faber, Auditor of State
And
Michael Schmidt, Chief Auditor
65 East State St, 14th Fl
Columbus, OH 43215

Subject: Medicaid Compliance Examination Summary

We are writing to provide an audit summary following the recent review conducted by the Auditor of State. This summary outlines our policies and processes regarding the timely signing of progress notes and treatment plans, reinforcing our commitment to upholding Medicaid documentation standards.

1. **Staff Education and Training:** All clinical and administrative staff receive regular training regarding Medicaid documentation standards, including the timely signing of progress notes and treatment plans. This training emphasizes:
 - o Regulatory requirements for proper documentation.
 - o Effective utilization of our electronic health record (EHR) system to apply electronic signatures accurately and promptly.
 - o Ongoing refresher courses to reinforce these standards.
2. **Documentation Monitoring and Auditing:** To support compliance with internal policies, the following processes are in place:
 - o Regular internal audits of treatment plans and progress notes to ensure proper and timely signatures.
 - o Supervisory review of documentation to confirm accuracy prior to billing submission.
 - o Any incomplete or unsigned documentation is identified and addressed promptly to maintain adherence to standards.
3. **Policy Highlights:** Our policies explicitly outline expectations for timely documentation, including:
 - o Treatment plans must be signed by the clinician and reviewed by the supervising provider within 72 hours.
 - o Progress notes must be signed by the responsible clinician within 72 hours of service delivery.

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- Clear processes are in place to address non-compliance, including targeted feedback and additional support as needed.
4. **Supervisory Oversight:** Supervisors regularly review and monitor documentation to ensure adherence to timelines and standards. Staff members receive ongoing guidance and feedback to maintain compliance with our documentation policies.

We remain committed to ensuring that our documentation practices reflect our dedication to quality care and adherence to Medicaid requirements. Should you require any additional information or clarification regarding this audit summary, please feel free to contact me directly at jbledsoe@llatherapy.org.

Thank you for your time and attention to this matter.

Sincerely,
Jill Bledsoe
Director of Business Operations
LLA Therapy
330-867-2240 x104

OHIO AUDITOR OF STATE KEITH FABER



LLA THERAPY, LLC

SUMMIT COUNTY

AUDITOR OF STATE OF OHIO CERTIFICATION

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



Certified for Release 12/31/2024

65 East State Street, Columbus, Ohio 43215
Phone: 614-466-4514 or 800-282-0370

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