

CONSUMER DIRECTION FRAUD FORM

Employee/Worker

A member in the CHOICES Consumer Direction Program has selected you to provide caregiver services. Before you begin, it is important that you understand there are certain things you are not allowed to do as a caregiver in CHOICES Consumer Direction, and that if you knowingly do those things you could be charged with TennCare fraud. Please read this form carefully, sign at the bottom, and send this form back to PPL with your other employment paperwork. If you have any questions about the information in this form, contact PPL at 1-888-866-1154.

Providing Care in CHOICES Consumer Direction

There are certain circumstances under which you are not allowed to be paid for care you provide in Consumer Direction.

CHOICES only pays for care to meet needs that can't be met by family members or others who help the member. CHOICES does not pay you to provide care that you would have given for free. You can't provide care to a member receiving Consumer Direction if you are their spouse, Representative for Consumer Direction, legal guardian, or Power of Attorney.

- You can't provide Personal Care Visits, Attendant Care, or In-Home Respite Care if you live with the member.
- You can't provide Companion Care (only available to members who are enrolled in CHOICES Group 2) for:
 - An immediate family member (spouse, parent, grandparent, child, grandchild, sibling, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, or son-in-law – including adopted or step-family members)
 - Anyone you live with (or that you have lived within the last 5 years)

Service Agreement:

You must sign a Service Agreement with the CHOICES member and/or their Representative. It's like a contract that sets out what each of you agree to do. The Service Agreement must include:

- The services you will provide,
- The rate you will be paid, and
- Any self-directed health care tasks you will perform while giving care to the member.

The services listed in the Service Agreement must be provided to the CHOICES member only; workers cannot provide services to the CHOICES member's family or friends. AND, workers cannot be paid for services provided while the member is in the hospital, a Nursing Facility, or at a doctor's appointment accompanied by unpaid support.

What is TennCare Fraud or Abuse?

The Tennessee Office of Inspector General (OIG) or the Tennessee Bureau of Investigation Medicaid Fraud Control Unit (MFCU) may investigate suspected fraud and abuse of the TennCare program, including CHOICES Consumer Direction. Fraud is 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 (see 42 CFR 455.2). Abuse is 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 professional recognized standards for health care. It also includes recipient practices that result in unnecessary cost to the Medicaid program (see 42 CFR 455.2).

Fraud includes knowingly being paid for care that you did not or are not allowed to provide. It also includes, but is not limited to, the following:

- Misrepresenting the hours you work/falsifying time sheets
- Using someone else's identity to work
- Helping someone else commit fraud
- Changing the time in the Time4Care app after the Worker has clocked in and/or not using the Time4Care app

If a member or employer asks you to do something and you're not sure if you are allowed to do it, contact PPL at 615-983-5300. If you believe the member/employer is knowingly committing TennCare fraud, you can also contact the OIG via hotline (1-800-433-3982) or report fraud online at <https://www.tn.gov/finance/fa-oig/fa-oig-report-fraud.html>

By agreeing to participate in Consumer Direction, you acknowledge that you have received the following information:

- You cannot provide hourly services to a CHOICES member who lives with you.
- You cannot provide companion care to a CHOICES member if you are an immediate family member (spouse, parent, grandparent, child, grandchild, sibling, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, or son-in-law – including adopted or step family members), or if you have lived with them during the last five years.
- You cannot perform services for family or other household members of the CHOICES member.
- You cannot perform services while the CHOICES member is in the hospital, nursing facility, or at a doctor's appointment accompanied by unpaid support.
- You cannot report that you have worked hours that you did not work for the CHOICES member. You cannot use someone else's identity to work for a CHOICES member.
- You cannot help someone else commit fraud by making false statements (written or verbal) for them, or falsifying documents.

Does the worker currently live with the member? Yes No

Has the worker lived with the member in the last 5 years?
(for companion care workers only) Yes No N/A

Is the worker related to or legal guardian of the member?
Adopted, In-laws and step-family members are included. Yes No

If yes, what is the relationship? Parent Child Sibling Grandparent
 Aunt/Uncle Cousin Spouse Grandchild
 Niece/Nephew Legally Appointed Guardian

Violation in any of these areas is considered fraud and could lead to an investigation by the Office of Inspector General (OIG) or the Tennessee Bureau of Investigation Medicaid Fraud Control Unit (MFCU) and potentially criminal charges.

List all addresses in which you have lived within the past 5 years.

Street Address	City	State	Zip Code
Street Address	City	State	Zip Code
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Street Address	City	State	Zip Code
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I acknowledge that I have read and understand the information provided in this form:

Worker Name

Date of Birth

Worker Signature

Date