

VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 750

An Act to amend and reenact § 2.2-4348 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 32.1-319.1, relating to Department of Medical Assistance Services; fraud prevention; prepayment analytics.

[H 2417]

Approved March 24, 2017

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-4348 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 32.1-319.1 as follows:

§ 2.2-4348. Exemptions.

The provisions of this article shall not apply to (i) the late payment provisions contained in any public utility tariffs prescribed by the State Corporation Commission or (ii) payments for services provided under the state plan for medical assistance identified as potentially fraudulent, abusive, or erroneous in accordance with the program established pursuant to § 32.1-319.1 and delayed until such time as the claim can be validated.

§ 32.1-319.1. Department to establish program to use prepayment analytics to mitigate risk of improper payments.

A. The Department shall establish a program using prepayment analytics to mitigate the risk of improper payments to providers of services that are paid through the Department's fee-for-service delivery system who commit fraud, abuse, or errors. Such program shall include the use of predictive modeling, provider profiling, trend analysis, and other prepayment analytics to identify providers and claims with a high likelihood of fraud, abuse, or error and prevent payments on potentially fraudulent claims from being made until such claims have been validated.

B. The Department may enter into a contract or agreement with a vendor for the operation of the program to mitigate risk of improper payments to providers of services that are paid through the Department's fee-for-service delivery system required by this section.