



MEMBER RESOURCE – Federal Self-Disclosure Process

The Social Security Act authorizes the Secretary of Health and Human Services to seek civil monetary penalties for false or fraudulent claims.

Providers who wish to voluntarily self-disclose evidence of potential fraud to Federal healthcare programs may do so under the Provider Self-Disclosure Protocol.

The following steps should help guide you to begin the process:

1. Be prepared - you only have 90 days after you submit your disclosure to complete your investigation.
2. Be specific in your disclosure.
 - a. Time period in which the issue occurred.
 - b. What exactly happened?
 - c. Why it happened.
 - d. Why there is legal liability.
 - e. Who was involved?
 - f. How the conduct was discovered.
 - g. What has been done to fix the problem?
3. Know and identify the specific fraud law that is at issue.
4. Be prepared for a settlement agreement that is a minimum of 1.5 times the damages.
5. Full cooperation is necessary.
6. Understand you must fully waive your 5th Amendment rights. You could be subject to other penalties if your self-disclosure is not accepted.

For more information, go to: <http://oig.hhs.gov/compliance/self-disclosure-info/>

Be sure to consult with an attorney prior to taking any actions.