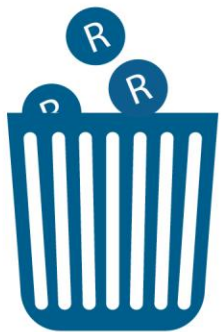


Recap of FWA Charter and Definitions

Dr. Tebogo Phaleng

Chief Strategy Officer, Discovery Health

11 March 2021



**FRAUD, WASTE & ABUSE
WEBINAR**

11 & 18 MARCH 2021



IN ASSOCIATION WITH
HPCSA
Health Professions Council of South Africa

National Commitment to Reduce FWA



Achievement of the goals and objectives of **Universal Health Coverage (UHC)** requires a healthcare system that provides **quality** healthcare that is **accessible** and **affordable**



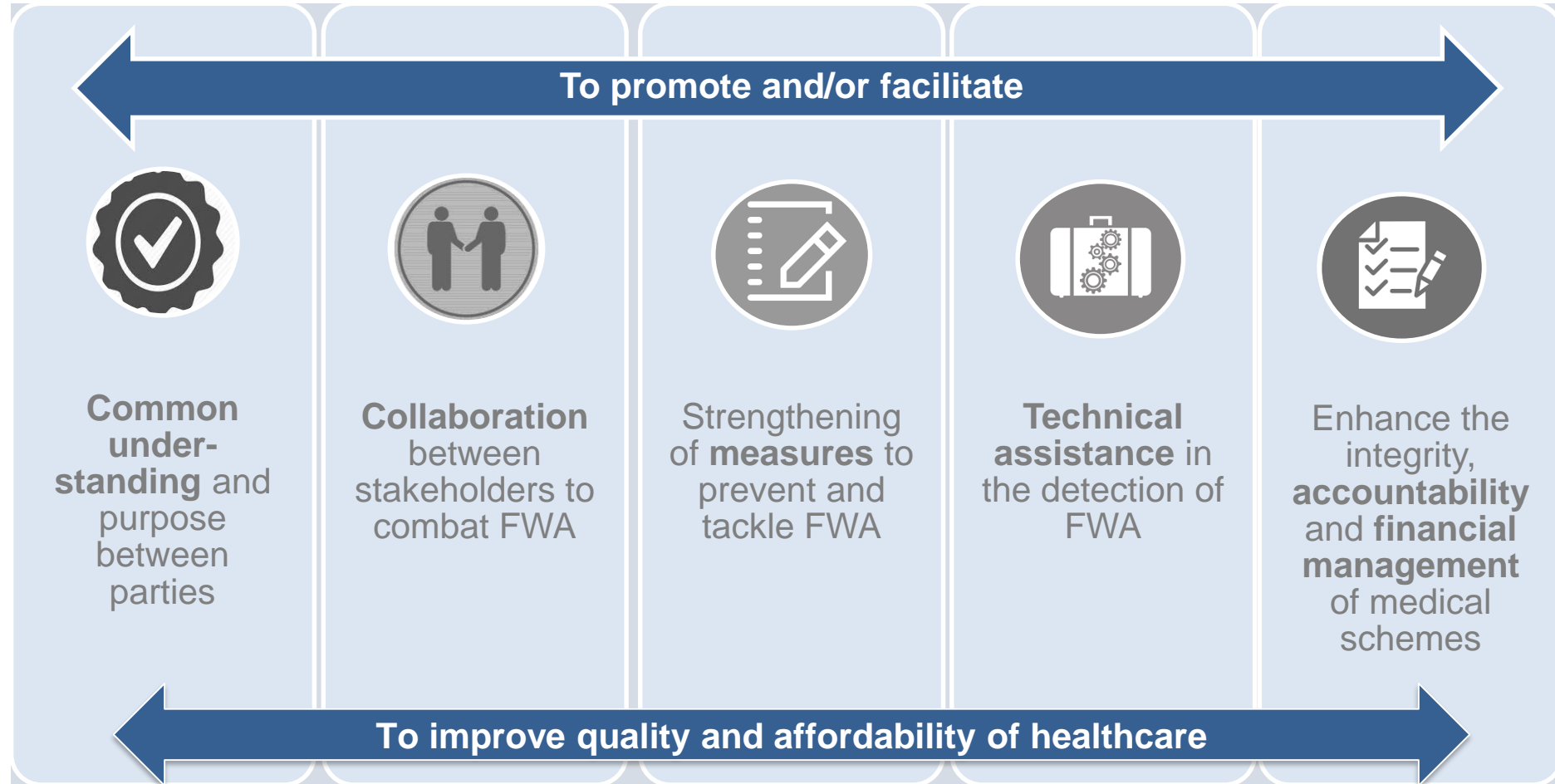
FWA threatens the **sustainability** of both the public and private healthcare sectors



National commitment to reduce FWA to improve efficiencies while ensuring **transparency** and **accountability** across the health system



Objectives of the Charter



Defining FWA

Healthcare Fraud

Knowingly submitting, or causing to be submitted, false claims or an **intentional** misrepresentation of the facts in order to **access payment** of a benefit to which one would otherwise not have been entitled.

Waste and Abuse

Claiming for healthcare treatment and services that are **not absolutely medically necessary**, including any form of over-servicing or over-charging of a patient, and that may objectively be considered unethical or unconscionable or contrary to best practice principles



Governance Framework



Fiduciary duty on funders to protect members' funds – imperative for sustainability



Medical Schemes Act and Scheme Rules

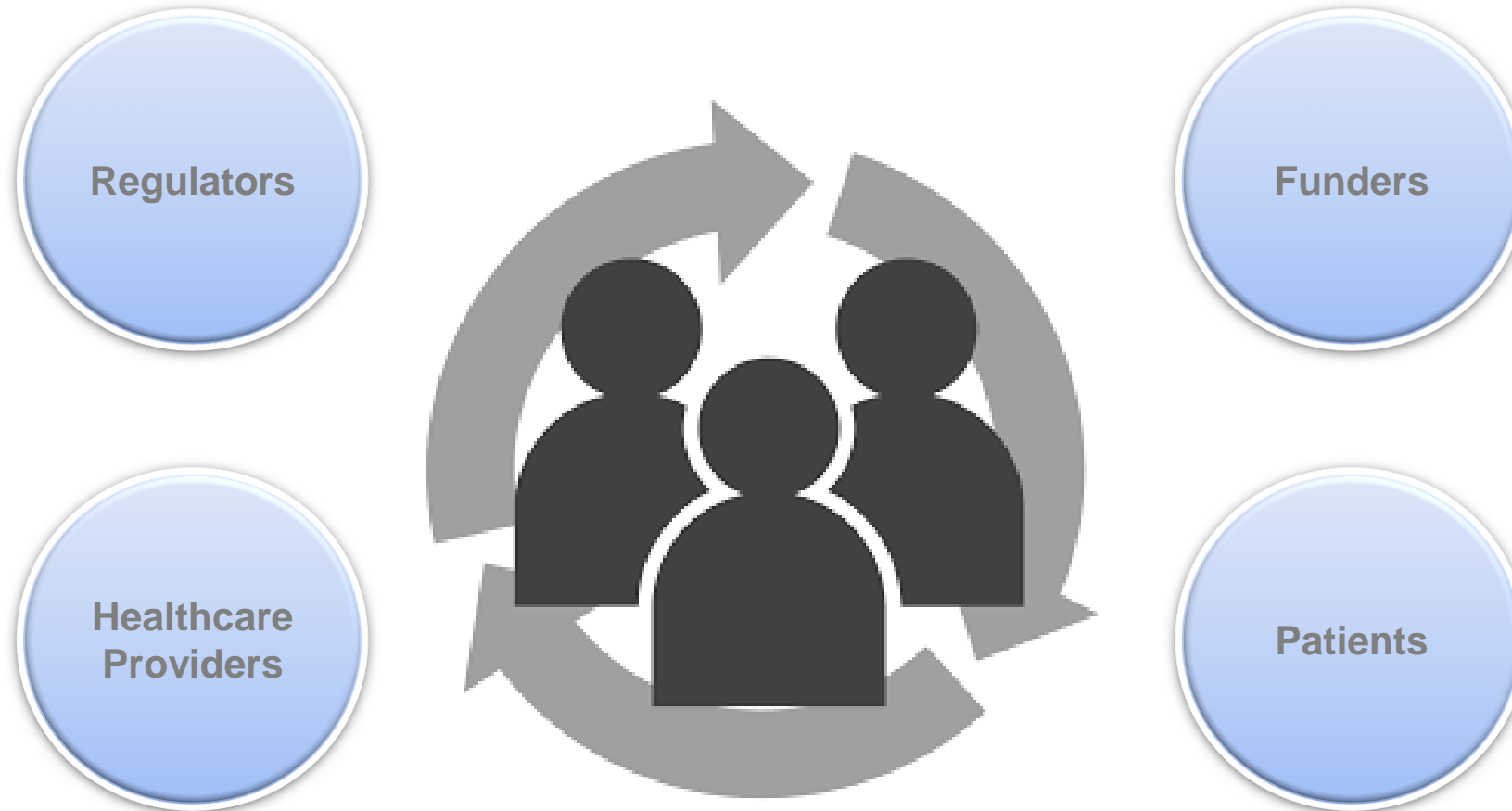
- Powers of inspection
- Provision to withhold or recover funds from providers



Prevention and Combatting of Corrupt Activities Act



Industry Collaboration Between Stakeholders



Stakeholder Roles

Regulators

- **Zero tolerance** of FWA
- Encourage **honest** and **ethical** behavior
- Ensure **policy certainty** regarding FWA
- Develop industry **standards, guidelines**
- Ensure adequate **risk management framework** at industry level
- Ensure fair and reasonable **sanctions and remedies**
- Provide **guidance** within the scope of legislation and their legislated mandates

Schemes, MCOs and Administrators

- **Zero tolerance** of FWA
- Act in the **best interests** of members
- Employ adequate **risk management controls and instruments**
- Act **fairly and objectively** within the law
- Formulate **objective procedures** for sanctions
- Participate in **industry initiatives** including **information exchange** where appropriate



Stakeholder Roles

Health Professional Societies and Associations

- **Zero tolerance** of FWA
- **Educate** their members on issues of FWA
- Provide **clinical advice** and **best practice benchmarks**
- Support the formulation of **policies and guidelines**
- Facilitate **collaboration** with other industry stakeholders
- Assist in the transition to **value-based care/reimbursement**

Industry Representative Bodies

- **Zero tolerance** of FWA
- Create platforms for industry **collaboration** and **information sharing**
- Ensure that their members are **informed and adequately engaged** in FWA initiatives
- **Regulatory engagement**, sharing feedback received from their members



Enforceability of the Charter



Participation is **Voluntary**



Provisions **Binding** on all Signatories



CMS will...

Be the **custodian** of the Charter






Consult other signatories of the Charter before removing parties not acting in the spirit of the Charter

Facilitate a **platform** to review and update the Charter every two years



Agreed Next Steps

March 2019

- | | | |
|---|--|---|
| 1 | <ul style="list-style-type: none">• Charter signed |  |
| 2 | <ul style="list-style-type: none">• Expanded Steering Committee process |  |
| 3 | <ul style="list-style-type: none">• Further consultation |  |
| 4 | <ul style="list-style-type: none">• Draft Code of Good Practice |  |
| 5 | <ul style="list-style-type: none">• Implementation• Monitoring and Evaluation |  |



Concluding Remarks

- **FWA is a serious problem**, which all key stakeholders have a duty to address
- Encourage **honest** and **ethical** behavior and **protect member funds**, which are held in trust
- **Zero tolerance** approach to FWA – **sustainability** of the public and private healthcare environment depends on it
- Unique opportunity for **collaborative multi-stakeholder industry-level efforts** to prevent FWA

- Need for **certainty**:
 - Application of relevant laws/regulations
 - Rules of engagement: Standards and guidelines, including remedies for
 - Ways of working: Code of Good Conduct, risk management tools/techniques, FWA remedies for dispu

- **Implementation**:
 - Common understanding driven through collaborative platform(s), information exchange and training support
 - Common set of standards and guiding framework
 - Standardized coding system
 - Code of Good Practice
 - Institutionalized focus, transparency and responsiveness when dealing with complaints and/or requests for guidance
 - Monitoring and evaluation framework



Thank You

