

## Seniors and People with Disabilities

Deanna Hartwig  


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**Authorized Signature**

**Number:** SPD-IM-04-077  
**Issue Date:** 08/20/04

**Topic:** Systems Issues

**Subject:** Systems Support for HCW Overpayment Recovery

**Applies to (check all that apply):**

- |  |  |
|--|--|
| <input type="checkbox"/> All DHS employees                 | <input type="checkbox"/> County Mental Health Directors                  |
| <input checked="" type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services                                 |
| <input type="checkbox"/> Children, Adults and Families     | <input checked="" type="checkbox"/> Seniors and People with Disabilities |
| <input type="checkbox"/> County DD Program Managers        | <input type="checkbox"/> Other (please specify):                         |

**Message:** Please see the attached regarding systems support for the Home Care Worker Collective Bargaining Agreement terms on overpayment recovery.

*If you have questions about this information, contact:*

<b>Contact(s):</b>	Stacey Apodaca		
<b>Phone:</b>	503-945-5886	<b>Fax:</b>	503-947-5357
<b>E-mail:</b>	Stacey.L.Apodaca@state.or.us		

*If you encounter systems problems, contact:*

<b>Contact(s):</b>	OIS Help Desk		
<b>Phone:</b>	503-945-5623	<b>Fax:</b>	503-945-5643
<b>E-mail:</b>	dhr.helpdesk@state.or.us		

*If you have policy questions, contact:*

<b>Contact(s):</b>	Mary L. Lang		
<b>Phone:</b>	503-945-5799	<b>Fax:</b>	
<b>E-mail:</b>	Mary.L.Lang@state.or.us		

## Home Care Worker Overpayment Recovery Support

On the evening of August 20, 2004, Seniors and People with Disabilities (SPD) will be implementing system changes to support the Overpayment Recovery terms of the Collective Bargaining Agreement between the Home Care Commission and SEIU. The collective bargaining agreement states the following:

“Overpayments in wages resulting from client or provider error shall be repaid at no more than five percent (5%) of the Employee’s pay that is based on hours paid until repaid in full. If the Employee leaves his/her employment as a Home Care Worker before the overpayment has been fully recovered, the remaining maximum amount may be deducted from the Employee’s final check(s).”

The overpayment recovery components of the Client Employed Provider payment system (JH-CEP) have been modified to support this provision. Administrative error overpayments incurred by Homecare Workers (HCW) will be recovered from each payment at no more than 5% of the HCW’s pay. Overpayments deemed fraud by the Medicaid Fraud Unit are not subject to the 5% recovery maximum.

As permitted by the Collective Bargaining Agreement, SEIU dues and contributions are withheld on behalf of the HCW in each payment cycle. If an overpayment adjustment results in a decrease in SEIU dues that should be withheld, DHS will recover that difference from SEIU and apply it to the HCW’s overpayment balance.

If a HCW leaves employment before an overpayment has been fully satisfied, the Collective Bargaining Agreement allows for recovery at 100% of the HCW’s pay. In this situation, the local office should contact the SPD Provider Payments Unit (PPU). SPD-PPU will then modify the overpayment recovery record to indicate that the 5% recovery maximum no longer applies.

The Remittance Advice (RA) has been modified to more clearly detail the payment and recovery actions taken in each pay cycle. The RA may contain up to four distinct sections:

- The ***Original Claims Payments and Underpayment Adjustments*** section will detail claims payments made to the provider during the payment cycle.

- The ***Overpayment Adjustments*** section will detail claims which have been adjusted due to an overpayment.
- The ***Overpayment Recovery*** section will detail recovery activities and indicate how much, if anything, from the current payment was applied toward the overpayment balance.
- The ***Provider/Employee Earnings Summary*** section details current payment, overpayment recovery, and year to date figures for the provider.

View Direct report SJH1415R-A contains copies of the RAs created in each payment cycle. Beginning Monday, August 23<sup>rd</sup>, this report will display the newly modified versions of the RA.

The Office of Home and Community Supports, In-Home Supports Section, is in the process of updating the provider guide. Information regarding HCW payments and withholdings are included in the guide. The guide should be accessible and available online via the forms server in early September.

For systems problems contact the DHS Helpdesk at: 503-945-5623.

For policy questions, please contact Mary L. Lang at: 503-945-5799

If staff need to request modification of the overpayment recovery record due to a provider leaving employment, contact SPD Provider Payments Unit at: 503-947-1141 or 1-800-241-3013.

If HCW providers have questions about about SEIU dues, please direct them to SEIU at: 1-800-452-2146.

If HCW providers have questions about Worker's Compensation withholding, please direct them to the Oregon Home Care Commission, Executive Director, Sharon Miller at: 1-503-947-5169