



COVID-19 FAQ

7. What types of audit activities constitute “active medical review or program integrity investigation” that would preclude participation in the accelerated and advance program?

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Answer: Although most medical review activities were put on hold in light of the COVID-19 PHE, pre-existing audit situations (including post-payment document requests from a MAC, RAC or ZPIC/UPIC) would likely constitute a medical review or program integrity investigation. While these terms were not further defined by CMS in the Accelerated and Advance Medicare payment program fact sheet, these phrases are often used and cited in document request letters and other notices of audit and investigation activities initiated by a Medicare contractor. Similarly, OIG investigations (related to the recent OIG Reports) would also appear to constitute the type of “investigation” that would preclude an entity from participating in the accelerated and advance Medicare payment program. Thus any unresolved audit activity (i.e., the matter was not yet closed or otherwise refunded) would likely serve as factors to preclude participation in this program. Because most MAC application forms require certification or attestation that none of the factors that preclude participation are present, you should not apply to enroll in hopes that Medicare will deny the application if Medicare finds evidence of a precluding factor. To the contrary, if a precluding factor is present, but the application falsely reports information about that factor, more serious consequences could occur, for providing false information on the application.