



# NCPAAA 2022 Virtual Conference

## “Real Solutions to Real Problems”

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# NCDOJ MISSION

The North Carolina Department of Justice protects the people of North Carolina through its work

1. to prevent crime and support law enforcement,
2. to safeguard consumers, and
3. to defend the State, its people, and their constitutional rights.



# PREVENT CRIME & SUPPORT LAW ENFORCEMENT

- Assist local law enforcement and district attorneys in fighting crime and prosecuting cases
- Represent the State in appellate court
- State Crime Lab analyzes evidence for many criminal investigations
- Oversee training and certification for law enforcement
- Operate NC Justice Academy



# DEFEND STATE

- Give legal advice and serve as lawyers for other parts of state government (state agencies, government departments, and commissions)
- Take legal action to protect North Carolina and the constitutional rights of people who live here, when necessary



# SAFEGUARD CONSUMERS

- Consumer Protection Division investigates consumer complaints
- Businesses and state and local governments are required to report security breaches to DOJ
- Take legal action against scammers and bad actors
- Educate North Carolinians about scams and frauds
- Staff the statutorily created NC Financial Literacy Council

# NCDOJ DIVISIONS

- **NCDOJ Consumer Protection Division**
  - **NCDOJ Public Protection Section**
- **NC Medicaid Investigations Division**



# PUBLIC PROTECTION

- Serve on commissions and task forces that work on policy issues
- Advocate for changes to legislation
- Provide education to public on rights and legal obligations





# CONSUMER PROTECTION

5 MAY 2022 | NCPAAA ANNUAL CONFERENCE (VIA ZOOM) | REAL SOLUTIONS FOR REAL PROBLEMS

Acronym: **Elder Fraud Unit**

Government Entity: **NC Department of Justice, Attorney General's Office**

Contact Number: **Megan Fullwood (919) 716-6044 OR Toll-free within North Carolina: 1-877-5-NO-SCAM**  
From outside North Carolina: (919) 716-6000 En Espanol: (919) 716-0058

Position of Contact Number Person: **Attorney Jeb Saunders [ssaunders@ncdoj.gov](mailto:ssaunders@ncdoj.gov) and/or Consumer Specialist Megan Fullwood [mfullwood@ncdoj.gov](mailto:mfullwood@ncdoj.gov)**

Web address: [General Consumer Complaint. File a Consumer Complaint at NC DOJ.](#)

**\*\*\*IMPORTANT: Please indicate in complaint that the victim is an older adult OR the reporter is filing complaint on behalf of an older adult, to ensure complaint is directed to the correct unit!**

Social media: does the entity respond to inquiries via social media? Which social media outlet? **Inquiries from social media handled by Attorney General's Communications Staff.**

Which citizen problems the agency addresses: **The Elder Fraud Unit fields complaints from senior victims of scams. We also receive complaints from victims' friends, family, and financial institutions (the latter because scammers often direct victims to wire funds through the financial institution). We provide guidance to the victims and these other interested parties, helping educate them about the particular scam and offering ideas on how to protect the victim from the scam and future scams (education about future scams is paramount because victims are often targeted again and again). We also interact with state and federal law enforcement, alerting them to cases that may result in an investigation and prosecution of scammers.**

What they will do

**\* Civil – In instances where seniors are victimized by local scammers – particularly contractors who take money and do not complete the work – may file suit against the scammers, seeking to obtain restitution for the victims and shut down the scammers**

**\* Criminal – No criminal enforcement authority**

**\* Refer to other agency (federal? State?) We alert local police departments or sheriff offices to potential cases and share information that may assist in their investigation.**

**\*How do reporters/victims double check to ensure 6, 12, 18 months from now that this STILL is where they need to report? Web address and phone number will be the same.**

What the agency won't do: **Criminal enforcement authority**

What information/data points are needed to report effectively? Describe the process. **Need as many details as possible regarding the scam/scammers.**

Who can make reports? **Victims, family members, financial institutions**



# MEDICAID INVESTIGATION

2022 NCPAAA ANNUAL CONFERENCE PROPOSAL | ALL VIRTUAL

<p>Acronym: <b>Medicaid Investigations Division (MID)</b></p> <p>Government Entity: <b>North Carolina Attorney General's Office, Department of Justice</b></p>
<p>Contact Number (Can we get a complaint number, rather than a phone tree?) <b>919-881-2320</b>          You can also report fraud or abuse online <a href="#">HERE</a>.</p> <p><u>Position</u> of Contact Number Person: <b>Administrative Assistant fields calls and directs allegations to a Criminal Justice Analyst for report intake</b></p> <p>Web address: <a href="https://ncdoj.gov/responding-to-crime/health-fraud/">https://ncdoj.gov/responding-to-crime/health-fraud/</a></p> <p>Social media: does the entity respond to inquiries via social media? Which social media outlet? <b>Inquiries from social media handled by Attorney General's Communications Staff.</b></p>
<p>Which citizen problems the agency addresses: <b>Medicaid Fraud and Patient Abuse or Neglect</b></p>
<p>What they will do</p> <p><b>* Civil</b>  <b>* Criminal</b></p> <p>* Refer to other agency (federal? State?) <b>We evaluate referrals and forward to the appropriate agency, as needed</b>          How do reporters/victims double check to ensure that this STILL is where they need to report? <b>Criminal Justice Analyst will confirm</b></p>
<p>What they won't do: <b>Medicaid recipient fraud (fraud by those being served Medicaid, including fraudulent eligibility and transfer of assets), Medicaid recipient benefit information</b></p>
<p>What information points do they need? Walk us through the process. <b>Complainant calls office or accesses online fraud tool. The more details provided, the better. A contact name and number are encouraged, although filing complaints anonymously is an option. For patient abuse allegations, photographs and details of incident are helpful. The Analyst creates an intake report and forwards the information to the Nurse Investigator (for patient abuse) or a Financial Investigator (for billing fraud). The Investigator(s) review the allegations, complete necessary background/preliminary research (review of medical records, police reports, claims data). A team at MID made of the Director, Deputy Director, Criminal and Civil Chiefs, Criminal Attorneys, Civil Attorneys, Supervisors and Investigators review referrals twice a month to determine if the referral meets the Medicaid nexus and would be an appropriate case to open for an investigation.</b></p>
<p>Who can make reports? <b>Anyone</b></p>
<p>To the victim (and/or reporting individual) will the agency</p> <ul style="list-style-type: none"> <li>• Provide complaint #, copy of complaint, a concrete/beneficial/action that day, or status updates? <b>No</b></li> <li>• Confirm complaints? <b>With other sources - Yes</b></li> <li>• Seek restitution? <b>Yes – with criminal or civil penalties which are determined in court</b></li> </ul>
<p>If the agency does not interact with victims, then explain</p> <ul style="list-style-type: none"> <li>• Where reports should be filed re: this issue to achieve a response &amp;/or</li> <li>• How taking the time to report is so important &amp; is reflected in something reporters/victims can see? How is it making a difference?  <b>Due to the nature and sensitivity of the criminal and civil investigations and litigation, MID does not provide updates to victims, reporters, or third parties of any kind. If a case update is vital, one may follow up with MID's Director.</b></li> </ul>



# What does NCDOJ not do?

- Prosecute most cases or specific crimes
  - (Special Prosecutions has to be invited by local DA)
  - (MID does look at criminal enforcement)
- Oversee/have authority over local district attorneys, law enforcement, or courts
  - (local elected officials)
- Give legal advice or represent individuals or private organizations
  - (advice State agencies; issue legal opinions when requested by public entities)



# QUESTIONS?

Thank you for your time, we look forward to partnering with you.