

**Counter Fraud Services**

# fraudawareness

**WORKING TOGETHER TO TACKLE FRAUD IN HEALTH AND SOCIAL CARE.**

# Introduction

While the vast majority of people who work for or use HSC services are honest, fraud does exist and is a serious issue. It is not a victimless crime.

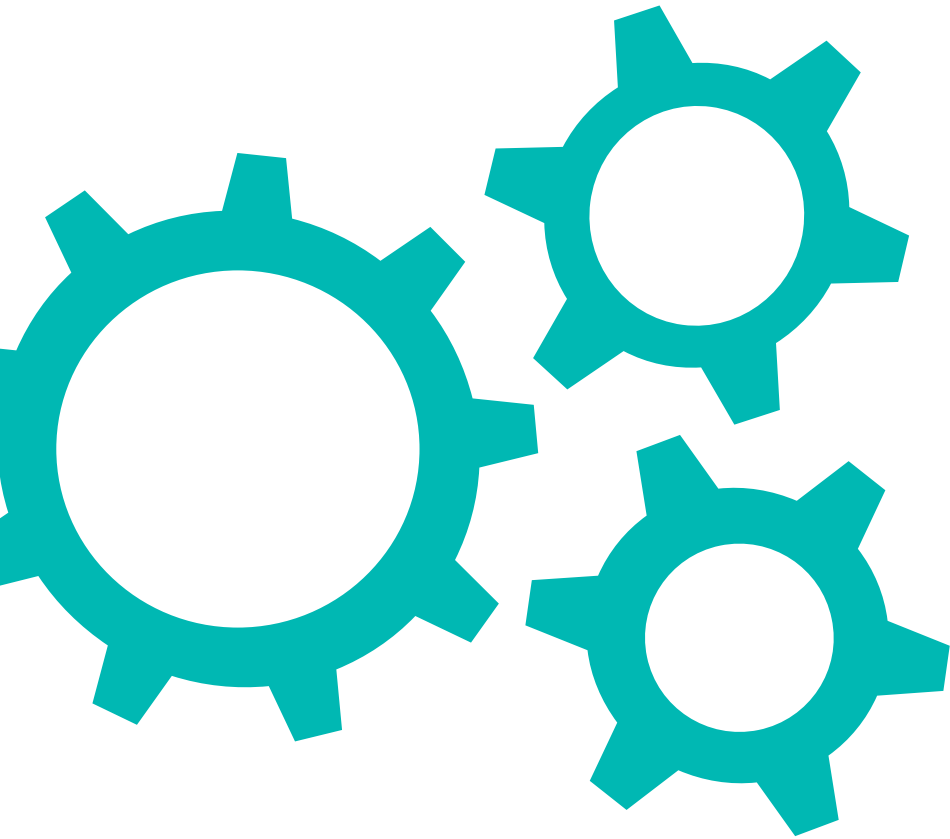
Fraud potentially costs our health service millions of pounds every year – money which could be used to improve infrastructure, deliver front line services and improve health outcomes for the people of Northern Ireland.

Fraud also has a negative impact on the trust and relationships within an organisation, as it decreases morale and can have a damaging affect on an organisation's reputation.

It is therefore important we are all able to recognise fraud and are aware of the actions to take where fraud is suspected.



# The role of Counter Fraud Services

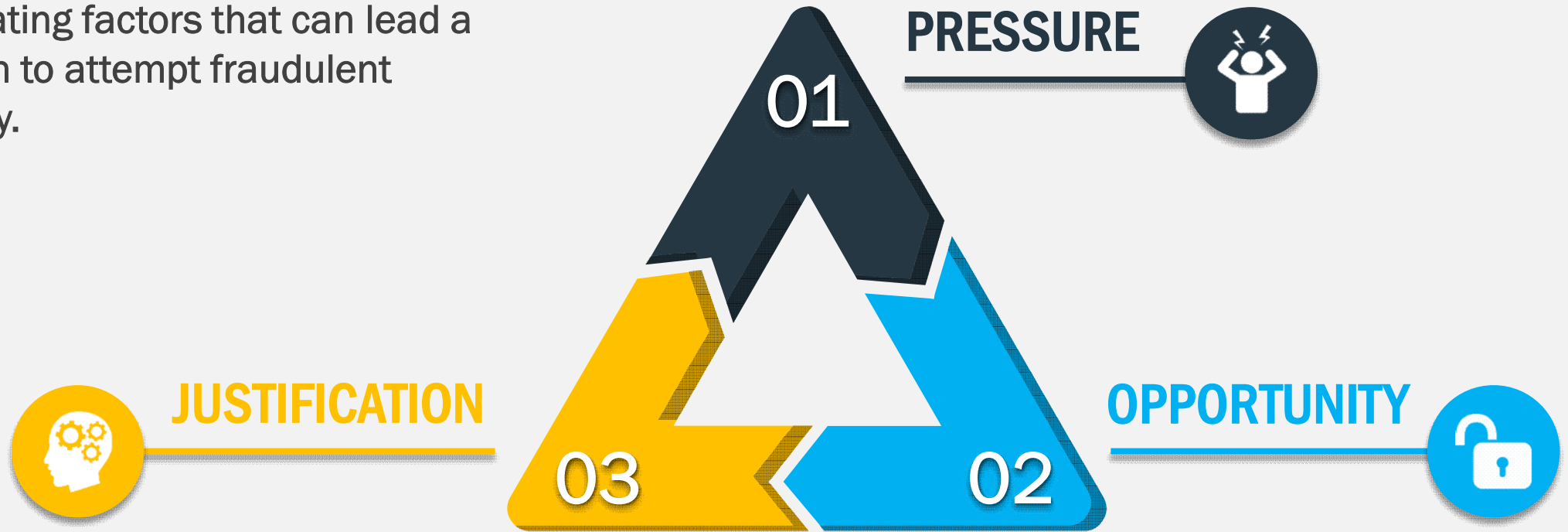


Counter Fraud Services (CFS) provide a comprehensive counter fraud service through the prevention, detection and investigation of fraud, corruption and other financial irregularities against Health and Social Care, Northern Ireland.

Working in partnership with Health and Social Care organisations and other key stakeholders, including the Department of Health, we endeavour to build and promote a culture where everyone accepts that fraud is wrong and everyone knows the role they can play in reducing fraud to an absolute minimum.

# Why do people commit fraud?

The Fraud Triangle is a model used to explain the environment and motivating factors that can lead a person to attempt fraudulent activity.



# Examples of HSC fraud

SUPPLIER

CONTRACTOR

OTHER THIRD  
PARTIES

STAFF

SERVICE USER



# Examples of dental fraud



- patients intentionally claiming free or reduced cost treatment when not entitled
- claiming for treatments or services not provided, for example
  - emergency re-opening of surgery
  - domiciliary visits
  - fillings on extracted teeth
- treatment splitting
- treating patients privately and claiming payment from HSC

# What is fraud?

Put simply, fraud is an act of deception intended for personal gain or to cause loss to another party.

The Fraud Act (2006) defines the criminal offence of fraud as ‘an abuse of position, false representation, or the prejudicing of someone’s rights for personal gain’.

## FALSE REPRESENTATION

- Where a person knowingly lies about something which they know not to be true.

## FAILING TO DISCLOSE INFORMATION

- Where a person knowingly withholds information which they should legally disclose.

## ABUSE OF POSITION

- Where a person is expected to safeguard the finances of another but knowingly abuses that position.

# Sanctions and Redress

Health and Social Care organisations take a zero tolerance approach to fraud, regardless of the perpetrator. Using a 'triple track' approach, a range of measures can be used against the offender to prosecute, impose sanctions and recover any money obtained through criminal activity.

## CRIMINAL

- Being found guilty of fraud carries potential heavy penalties, including a custodial sentence of up to 10 years.

## DISCIPLINARY

- Where fraud is committed by a health care professional, disciplinary measures including a referral to the GDC may be considered.

## CIVIL

- Civil action including confiscation orders or the freezing of assets can be used to recover money obtained through fraud.



# Case Examples

## **Welsh dentist sentenced for NHS fraud**

A dentist who made up almost 400 bogus treatments and fraudulently charged the NHS £23,500 was given a 12 month suspended custodial sentence following an investigation by NHS Counter Fraud Authority.

The investigation uncovered false claims for units of dental activity, including 315 instances of 'treatment splitting' and 83 bogus claims for examinations or treatment which was not provided.

## **Dentist jailed for three years for double claiming**

A dentist who defrauded almost quarter of a million pounds from the NHS and spent the money on a fleet of luxury sports cars has been jailed for three years.

The subject made false claims for more than 6,600 patients - charging private patients for work and then submitting bills for the same procedures to the NHS – a process known as 'double claiming'.

## **18 month jail term for dentist found guilty of fraud**

A dentist who stole over £47,000 from the NHS was sentenced to 18 months imprisonment after being found guilty of submitting over 200 false claims to the NHS.

The subject claimed for expensive orthodontic treatment when in reality he had only supplied a simple gum shield to patients.

Under the Proceeds of Crime Act the subject was ordered to repay the full value of the fraud and a further £30,000 for investigation and legal costs.

# HELP WITH HEALTH COSTS

Are your patients entitled to claim help  
with HS dental charges?

# Background

The Business Services Organisation carry out a range of both random and targeted checks, where patients have claimed to be exempt from paying the relevant statutory Health Service dental or ophthalmic charge(s).

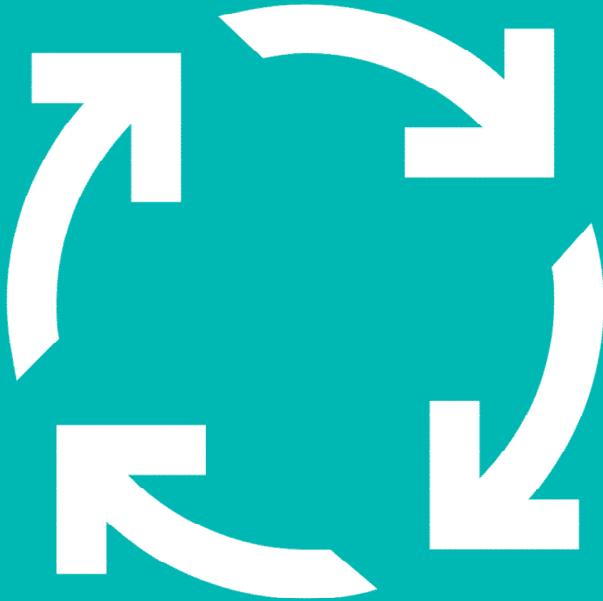
Each year the BSO Information Unit calculates the estimated level of patient fraud and error in relation to the non payment of statutory dental and ophthalmic charges.

In 2021/22 the best estimate for the level of patient fraud and error was some £3.3 million, with £2.2m attributed to dental.

Every pound lost to our health budget impacts on the resources available to deliver many services. The losses to patient fraud and error alone could pay for more than 300 coronary bypass procedures or 4000 cataract eye procedures.

Dental contractors and their staff can play a key role in protecting health service resources by ensuring that patients who claim help with health costs are properly entitled to do so.

# Checking Process



Claim form submitted to BSO and payment made to contractor.



Each month a sample of claims are selected and details cross matched against the Department of Work and Pensions (DWP) and Tax Credit databases.



Claims which are not verified during the data matching are channelled into Exemption Case Management System.



A letter is issued to the patient seeking further information or repayment of charge. Additional penalty charges of up to £150 may also apply.

# Who is entitled to claim help?

Exemption from the charge:

On the first day of treatment (patient only):

- Aged under 18 years
- Aged 18 years and in full-time education
- Expectant mothers
- Nursing mothers (had a baby, or a stillborn baby, in the last 12 months)



# Who is entitled to claim help?

Remission from the charge:

During the course of treatment (patient or their partner):

- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment Support Allowance
- Pension Credit Guarantee Credit
- Named on a valid NHS Tax Credit Exemption Certificate
- Named on a valid HC2 certificate (full remission)
- Named on a valid HC3 certificate (partial remission)



# Who is not entitled to claim help

A patient is not entitled to claim help with health costs if they, or their partner, only receive one the following benefits:

- Incapacity Benefit
- Contribution-based Jobseeker's Allowance
- Contribution-related Employment Support Allowance
- Pension Credit Savings Credit
- Disability Living/ Attendance Allowance
- Sickness Benefit
- Retirement or Widows Pension
- Universal Credit \*

As an interim arrangement Universal Credit recipients are advised to complete HC1 form. Any certificate issued must have valid dates which cover the period of treatment.



# How you can help

Contractors are not expected to provide advice to patients in terms of which benefit they may be on. Patients should only be advised as to which benefits qualify for help with health costs.

We do ask that contractors:


- ensure that point of treatment checks are carried out and that staff carrying out these checks are familiar with exemption criteria
- request supporting evidence as this acts as an effective deterrent to those simply trying to avoid payment. e.g. an entitlement letter from Jobs and Benefit Office, a valid award notice from the Pension Service, a valid NHS Tax Credit Exemption Certificate
- ensure patients or their representatives read the declaration(s) and complete the form, signing the appropriate box once all other sections have been completed
- ensure that exemption or remission details are accurately recorded on the claim form



# How you can help


- do not sign the form on behalf of the patient, the declaration is the patient's agreement to receive General Dental Services
- do not assume that a patient who was previously exempt from charges is still entitled – circumstances change
- do not assume that someone who does not work is automatically entitled
- do not assume that a person with a disability is automatically entitled
- display Help with Health Costs materials

# CFPS Website

**Counter Fraud and Probity Services**

WELCOME TO COUNTER FRAUD AND PROBITY SERVICES WEBSITE

COUNTER FRAUD SERVICES | **PROBITY SERVICES**

HOME | PROBITY CHECKS | **HELP WITH HEALTH COSTS** | HEALTHY START 

## HELP WITH HEALTH COSTS

Some patients are entitled to claim financial assistance with Health Service dental and ophthalmic charges. To find out if you qualify for help with health costs please click on the relevant section below or refer to the information leaflet and supporting documentation.

+ Dental

+ Sight Test

+ Glasses

## SUPPORTING DOCUMENTATION

Help with Health Costs leaflet  
Dental Patient Guidance  
Dental Practice Guidance  
Ophthalmic Patient Guidance  
Ophthalmic Practice Guidance

MDS 730 Universal Credit and Help with Health Costs  
MOS 309 Universal Credit and Help with Health Costs

HSS (PCD) 1-2017 Interim arrangements for  
Passporting to Help with Health Costs under  
Universal Credit

# Supporting materials

A range of supporting materials have been developed to assist patients and contractors.



# Get the facts, not a fine

A short video has been produced to highlight the importance of correctly claiming help with health costs.

This video is available to download or share on social media:

<https://vimeo.com/207645541>

Are you entitled  
to claim help with  
health costs?



# Contact details



**HELP WITH HEALTH COSTS**  
**0800 5878 982**



**EMAIL**  
**probitysouth@hscni.net**



## **IN WRITING**

**PROBITY SERVICES**  
**BUSINESS SERVICES ORGANISATION**  
**PINEWOOD VILLA**  
**ARMAGH**  
**BT67 3FW**

# The cost of HSC fraud

When we think of fraud we tend to think only of financial loss. However within the HSC it has a much wider impact, affecting people's health and lives.

Any loss to the HSC may result in longer waiting lists, the reduction or closure of services and fewer staff to deliver front line services.

The NHS Counter Fraud Authority estimates that fraud against the NHS costs at least £1.29 billion, or 1% of the health budget.

Applying a similar calculation to the HSC would mean losses in the region of £50 million.

Just think what this could pay for...



**120,000**

chemotherapy sessions



**3,500**

coronary artery bypass procedures



**47,500**

cataract eye procedures (day case)



**1,500**

additional nursing posts



**1**

health and wellbeing centre