Tenncare RHC Moratorium - A Big Pile of Horse Manure

Chattanooga, Tennessee, June 22, 2018 - In October 2017 Tennessee sought and received a moratorium from the Centers for Medicare and Medicaid Services (CMS) to no longer pay new Rural Health Clinics (RHCs) the additional costs of complying with Public Law 95-210 and providing an additional access point for healthcare to the most rural and poorest residents. This in addition to Tennessee’s failure to expand Tenncare even though billions of federal dollars were available to provide this care has led to catastrophic results in Tennessee.

Eight rural Tennessee hospitals have closed since 2010. Only Texas with ten has more than Tennessee. Since hospitals have an obligation under EMTALA to treat all patients that present these eight communities have lost one of their last health access points for Tenncare patients. Now by depriving new RHCs necessary funding to open, expand, and treat Tenncare patients, Tenncare is choking out another access point for our poor, rural, and underserved.

Tenncare indicated the reason for the moratorium on payment of the RHC Quarterly Settlements is what appears to be a multi-million-dollar fraud in the RHC program. One important revelation from Tenncare is the potential fraud did not involve RHC cost reports, nor did it involve the completion of Tenncare Quarterly Settlement Reports and Tenncare. As of this date Tenncare has not formally charged any rural health clinic with fraud. It is as if federal regulators upon discovery of potential fraud by Bernie Madoff instead of investigating the fraud issued regulations that people could no longer invest money until they figured out the nature of the crime.

As Forrest Gump once said, “I’m am not a smart man, but I know what love is”; however, it does not take a smart man to see through the flaws in Tenncare’s logic as it relates to the moratorium.

1. If the fraud is being committed by RHCs already in the RHC program how does stopping new RHCs from getting paid their quarterly RHC settlements stop the fraud Tenncare has potentially identified?

2. Since the fraud by Tenncare’s own admission has nothing to do with RHC Cost Reports or Tenncare Quarterly settlements how does stopping new RHCs from getting paid their quarterly Tenncare settlements stop the alleged fraud Tenncare alleges to have identified?
Even Forrest Gump could see something else is going on. The story fed to RHCs does not add up. The moratorium is a Trojan Horse. For what purpose this Trojan Horse serves is unknown except the effect is equivalent to a modern defenestration of RHCs who are being thrown out the window without representation or notification. Three lucky victims of defenestrations in Prague were saved when they landed in a pile of horse manure. It is doubtful that any of the RHCs affected by the moratorium will survive being thrown out of this window, but one thing is certain. We did find a big pile of horse manure.

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Healthcare Business Specialists, LLC is a healthcare consulting firm that specializes in rural health clinics and works to expand access to healthcare in rural and underserved areas throughout the United States.

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