



RON DESANTIS
GOVERNOR

JASON WEIDA
SECRETARY

MEMORANDUM TO CHIEF INSPECTOR GENERAL

DATE: January 16, 2024

TO: Melinda Miguel
Chief Inspector General

FROM: Brian Langston *BPL*
Inspector General

SUBJECT: Response to Whistle-blower's Comments
(AHCA OIG Case #21-06-014 CIG Case #2021-07-15-0011)

On October 23, November 6, and November 9, 2023, the AHCA OIG received comments from the Whistle-blower regarding OIG case #21-06-014. The Whistle-blower's comments are attached.

The Whistle-blower disagreed with our findings. Most significantly, who was interviewed for the investigation, the Social Security Act Section 1905 and administrative costs, Interlocal Agreements, and LIP payments.

The AHCA OIG interviews were planned and conducted based on the allegation whether an unknown Division of Medicaid employee(s) redistributed LIP funding between hospital taxing districts in violation of CMS guidelines. Those interviewed provided relevant information pertaining to the allegation and further support our findings and recommendations. Much of the Whistle-blower's comments provided were in reference to the actions of the hospitals and staff to which, as outlined in the report, the OIG does not have jurisdiction and was not investigating. Additionally, the Whistle-blower indicated they have filed a complaint in federal court against Halifax Hospital Medical Center and Parrish Medical Center.

The Social Security Act Section 1905 (a)(Title XIX) and Section 1902 (a)(10)(A), as stated in the report, is intended to provide government support to providers for the costs of uncompensated charity care for low-income individuals who are uninsured and underinsured and is not a payment for Medicaid services. The hospitals, upon receipt of LIP funding reimbursement for charity care, are not restricted in the use of that reimbursement.

The Interlocal Agreements were used in the past to document a redistribution of LIP funding between the hospital taxing districts as there was no policy regarding redistribution of LIP funding until implemented for SFY 2017/18 (DY12). Also, the Interlocal Agreements are strictly between the hospitals and not the agency. Although the hospitals submitted Interlocal Agreements in 2017 and 2019 requesting a change in



LIP funding for a prior year and the Agency did acknowledge receipt of the agreements, no records provided by the Agency nor found by the OIG indicate any redistribution occurred. Furthermore, according to Agency records, neither Halifax Hospital Medical Center nor Parrish Medical Center have a LIP overpayment (disallowance) for SFY 2013/14 (DY8) through SFY 2019/20 (DY14).

On December 18, 2023, the AHCA OIG along with the Chief Inspector General's Office received an email from the Whistle-blower regarding OIG case #21-06-014. The Whistle-blower attached four Interlocal Agreements claiming further support of Parrish alleged LIP fund fraud. Apart from the Interlocal Agreement between Jackson and South Broward, which was incomplete, the attachments provided by the Whistle-blower were included in OIG case #21-06-014 as exhibit number 2, 3, and 7. These exhibits were provided to the Whistle-blower for comment on November 8, 2023.

After reviewing the Whistle-blower's comments and based on the available information, we maintain that our findings and recommendations are correct. The Whistle-blower did not provide information or documentation that affects the findings of the report.