



Health Care Fraud Self-Disclosure Protocol: (2) Selecting a sample

CRA shares practical insights gained by helping clients voluntarily disclose self-discovered evidence of potential fraud, under the guidance contained in the US Health and Human Services' Office of Inspector General's Health Care Fraud Self-Disclosure Protocol (SDP), as updated on November 8, 2021.



Confirm that the non-compliant conduct has ended

Before finalizing the date range for the study population and selecting a statistically valid sample of paid claims, consider performing a robust validation process to confirm that the non-compliant conduct has ended and that any new mitigating controls are effective as designed.



Select a population

A sample is typically selected from the population of paid claims, including payers and patients, during the date ranges the disclosing party determines to be most defensible.



Validate the completeness of the population

Disclosing parties will often reconcile the population selected with audited financial statements or other available "control totals" that can be triangulated in order to reasonably demonstrate that the population selected for analysis is complete.



Determine if you want the results of your sample to be statistically meaningful

The SDP requires that a sample contain at least 100 units, but that is not necessarily large enough to yield statistically-defensible results. The SDP does not require a minimum precision level or precision range, but a higher level and a tighter range will yield a more statistically-defensible set of findings.



Select a sampling unit

The sampling unit used (e.g., a claim, a claim line, a patient) will be impacted by a variety of factors (e.g., the type of service of interest, how the data are available).



Deal with missing sample items

The SDP does not allow alternate sampling units. It states that missing sample items should be treated as errors, citing federal healthcare program rules which require the retention of supporting information for submitted claims.

Kristofer Swanson, CPA/CFF, CFE, CAMS
Vice President and Practice Leader, Forensic Services
+1-312-619-3313 | kswanson@crai.com

Patricia Peláez, CPA/CFF, CFE, CPC, CAMS
Principal, Forensic Services
+1-312-577-4180 | ppelaez@crai.com