

# ILLEGAL DENTAL SOLICITATION



## Prohibited activities

Dental providers may not offer, and Medicaid clients may not accept\*:

- Cash, mobile payments (Venmo, Cash App, PayPal, etc.) or gift cards in any amount.
- Transportation not properly arranged with the client's managed care organization or Texas HHSC.
- Free or discounted services for family members to influence health care decisions.
- Goods or services, except low-cost, non-cash items valued under \$15 (e.g., a toothbrush).

## Potential consequences

Providers who solicit Medicaid clients may face\*:

- Class A misdemeanor charges.
- Third-degree felony charges if previously convicted of illegal dental solicitation or if employed by federal, state or local government at the time.
- Disciplinary action by the Texas State Board of Dental Examiners.
- Injunctions.
- Civil penalties.
- Exclusion from Medicaid.

## Recognizing illegal dental solicitation

Beware of:

- People canvassing neighborhoods, grocery stores, day care centers, etc. for Medicaid recipients.
- Free transportation or giveaways advertised online or in person.
- Unsolicited offers to change dental providers.

## Report dental solicitation

If you suspect illegal dental solicitation or wish to self-disclose errors, call the OIG Fraud Hotline at 800-436-6184 or visit [ReportTexasFraud.com](http://ReportTexasFraud.com). Provide details of the incident including dates, names and locations.

## Case examples

### Case 1

A "marketer" (who is also a Medicaid recipient) is paid by a dentist to find other Medicaid recipients in their neighborhood. The marketer pays the recipients to bring Medicaid-enrolled children to the dentist's office.

### Case 2

A "marketer" uses Facebook to post messages seeking parents of Medicaid children who can receive money for bringing their children to a dental office. Parents contact the marketer, and they arrange the office visit. Parents bring children to see the dentist and the marketer is paid by the dental office.

## Self-disclosure

Providers can potentially reduce their legal and financial exposure by self-disclosing discrepancies.

For more information, download the *OIG's Quick Guide to Self-Disclosing Errors*.

