



## Genetic Testing Fraud

### Medicare Beneficiary Questions & Answers

Genetic testing scams are currently a widespread issue throughout the country. Beneficiaries are being solicited in person, through phone calls, via email, and from online ads. The Senior Medicare Patrol (SMP) program wants Medicare beneficiaries to have the most up-to-date information about genetic testing companies, the tests they offer, and what Medicare covers. This document provides questions to ask when encountering potential genetic testing scams along with answers that provide information and guidance about how to handle each situation.

**Q. Did the provider offer genetic tests to screen for cancer or another condition?**

**A.** Decline the offer. These cheek swabs are being referred to as hereditary cancer screenings, DNA screenings, cancer screenings, genetic testing, pharmacological testing, Alzheimer’s screenings, dementia screenings, heart disease screenings, gene mutation screenings, genetic marker screenings, etc. Medicare does not cover genetic tests to screen for cancer – except for one colorectal cancer DNA screening test.

**Q. Did the provider say that Medicare covers genetic tests at no cost to you?**

**A.** The tests are usually described as being available and useful for a wide range of people regardless of their health condition. Providers often say that a person’s insurance will cover the tests for “free.” They make this claim because Medicare pays for diagnostic lab tests according to a fee schedule, with no deductible or coinsurance costs for patients, but only when medically necessary. The tests are only medically necessary with a treating physician’s order. If Medicare denies the tests, you could be charged the entire amount, which could easily run \$9,000-\$11,000.

**Q. Did the provider say that Medicare covers this as a preventative test?**

**A.** Medicare does not cover genetic tests to screen for cancer as a preventative benefit, with only one exception for a colorectal cancer DNA screening test.

**Q. Did the provider tell you what they are doing the genetic test for or which cancers they are testing for?**

**A.** Medicare does not cover genetic tests for beneficiaries who do not have any symptoms or diagnoses of cancer (Medicare rule: [https://www.cms.gov/Medicare/Coverage/CoverageGenInfo/Downloads/manual201801\\_ICD10.pdf](https://www.cms.gov/Medicare/Coverage/CoverageGenInfo/Downloads/manual201801_ICD10.pdf)).

“Tests for screening purposes that are performed in the absence of signs, symptoms, complaints, or personal history of disease or injury are not covered except as explicitly authorized by statute.”

**Q. Did the provider tell you who would be following up with you regarding the results? Did the provider read your results and, if needed, use them to set up a treatment plan?**

**A.** Lab tests like this must be ordered by a treating physician (Medicare rule: [https://www.cms.gov/medicare/medicare-fee-for-service-payment/clinicallabfeesched/downloads/410\\_32.pdf](https://www.cms.gov/medicare/medicare-fee-for-service-payment/clinicallabfeesched/downloads/410_32.pdf)).

“All diagnostic x-ray tests, diagnostic laboratory tests, and other diagnostic tests must be ordered by the physician who is treating the beneficiary, that is, the physician who furnishes a consultation or treats a beneficiary for a specific medical problem and who uses the results in the management of the beneficiary’s specific medical problem. Tests not ordered by the physician who is treating the beneficiary are not reasonable and necessary.”

**Q. Did the provider use scare tactics such as “your prescriptions could kill you” or “to prevent cancer,” claiming cancer and using the wrong prescription as the biggest killers of seniors?**

**A.** If you have concerns about how your body is metabolizing your prescriptions or if you are at risk for cancer, you should talk with your health care provider, who should be aware of the prescriptions that you are on and your family’s medical history.

## Available Resources

- Genetic testing fraud resources on the national SMP Resource Center website
  - <https://www.smpresource.org/Content/Medicare-Fraud/Fraud-Schemes/Genetic-Testing-Fraud.aspx>
- Office of Inspector General (OIG)
  - [https://oig.hhs.gov/fraud/consumer-alerts/alerts/geneticcam.asp?utm\\_source=website&utm\\_campaign=geneticcam](https://oig.hhs.gov/fraud/consumer-alerts/alerts/geneticcam.asp?utm_source=website&utm_campaign=geneticcam)

## Where Can Beneficiaries Go with Questions

Your local SMP is ready to provide you with the information you need to **PROTECT** yourself from Medicare fraud, errors, and abuse; **DETECT** potential fraud, errors, and abuse; and **REPORT** your concerns. SMPs and their trained volunteers help educate and empower Medicare beneficiaries in the fight against health care fraud. Your SMP can help you with your questions, concerns, or complaints about potential fraud and abuse issues.

It can also provide information and educational presentations.

**To locate your state Senior Medicare Patrol (SMP):  
Visit [www.smpresource.org](http://www.smpresource.org) or call 1-877-808-2468.**