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# Fraud Prevention and State Agency Oversight Policy Committee

## April 7, 2026

### OLA Special Review EIDBI Kickbacks

Shireen Gandhi | Commissioner



# DHS is Leading The Way on EIDBI Reforms

- Early Intensive Developmental and Behavioral Intervention (EIDBI) is a Medical Assistance (MA) benefit that provides medically necessary autism services to youth under 21 years of age.
- Since October 2024, DHS has conducted 444 on-site visits to EIDBI service providers. In the Spring of 2025, DHS changed the designation of EIDBI services from medium to high risk.
- In November 2025, DHS issued an EIDBI enrollment moratorium.
- In December 2025, DHS implemented enhanced prepayment review of all fee-for-service claims of high-risk services, including EIDBI claims.
- In 2025, the Legislature passed EIDBI provisional licensure and licensure
  - EIDBI provisional licensure application launched January 2026 with applications due May 31, 2026
  - DHS will submit recommendations for full licensing standards prior to the 2027 session
- DHS is revalidating all EIDBI providers, with an anticipated completion date of May 31, 2026.



# EIDBI Site Visits and Investigations

444

Onsite visits completed between October 2024 and March 2026

63

New EIDBI Investigations opened since 2025

20

EIDBI law enforcement referrals since 2025

22

EIDBI administrative sanctions imposed since 2025

## Off-Cycle Provider Revalidation (Minnesota Revalidate)

- EIDBI is among the 13 high-risk provider types completing off-cycle revalidation
- Revalidation will occur between now and May 2026
- Providers must complete required enrollment and revalidation paperwork and background studies
- DHS will conduct unannounced onsite screening visits at each provider location
- Providers that do not complete the revalidation process will be terminated from Medicaid

## Targeted EIDBI Provider Audits

- In January 2026, we began contracting with private sector healthcare auditor to conduct targeted audits of EIDBI billing outliers.
- Outlier audits are focused on businesses with billing patterns that significantly differ from norms.
- DHS staff meets weekly with auditors who compare EIDBI treatment records with billing records for signs of potential fraud or policy violations.

# OLA's Findings

- The OLA reviewed 32 total EIDBI related complaints received between July 2017 and February 2024.
  - 7 complaints were investigated by DHS.
  - 25 complaints were closed by DHS.
- The OLA agreed with 93% of OIG's actions related to the 32 complaints.
  - The OLA found that the seven investigations reviewed "thoroughly addressed the allegations made against the providers" and "OIG staff took appropriate actions to investigate the allegations"
  - The OLA "agreed with OIG's reason to close most of the complaints OIG did not investigate."
- The OLA disagreed with the OIG's stated reasons for closing 3 complaints that concerned "kickback only" allegations regarding EIDBI providers.



# OLA's Recommendations

**OLA Recommendation:** DHS should amend its administrative rule defining “fraud” to clearly include kickbacks. If DHS does not pursue an amendment, the Legislature should act to resolve this issue

## **DHS's Actions:**

- The DHS Office of Inspector General policy bill contains a provision updating the definition of "fraud" and moving it from rule to statute.
- If no Legislative action taken on the definition of "fraud" in statute, DHS will engage in rulemaking to update the Rule.
- In 2025 Legislature passed state anti-kickback laws. DHS investigates and refers kickback allegations to law enforcement.
- DHS is reviewing all past kickback reports that were closed to determine if further review is necessary.
- Since 2025, DHS has increased kickback training for providers and recipients.



# Thank you