

AHIOS Perspective on the Recent CVS/Caremark Fraudulent Requests

February 2022

AHIOS Authors



Lindsey Miles, RHIT, CHPS, CRIS
Privacy Manager,
ScanSTAT Technologies



Elizabeth McElhiney, MHA,
CHPS, CPHIMS, CRIS
Director of Compliance and
Government Affairs,
ScanSTAT Technologies



Darin Challacombe, Ph. D.,
SHRM-CP, CRIS
Manager, Training and
Employee Development,
ScanSTAT Technologies

Background

Starting on or about August 2021, covered entities and business associates in the release of information (ROI) space began receiving fraudulent requests. These requests appear to come from malicious actors posing most typically as “CVS/Caremark”. Since the initial reports, multiple AHIOS member organizations have identified and stopped the requests from being processed. AHIOS has also reported this activity to the victim organizations, CVS/Caremark and the FBI.

Requests from Covered Entities

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) provides guidance on the health information management activities of both covered entities and business associates. AHIOS organizations fall under the latter category. We are required to follow all aspects of HIPAA including ensuring that all requests for information authorizations have the required elements and statements.

Covered entities and other organizations fall under HIPAA’s Treatment, Payment, and Healthcare Operations (TPO) exception to the authorization requirements. This means requests from these entities do not require a patient or authorized representative’s signature in order to process.

Most covered entities require actual documentation to fulfill requests from other covered entities vs. just a phone call. ROI providers, especially those who work remotely, typically plan for the hospital or clinic to fulfill the priority, “stat” requests that need to be turned around within hours.

AHIOS members estimate that around 50% of all ROI requests fall under the TPO umbrella. Release of information requests from pharmacies do not occur often, as these requests generally take the form of a phone call to a provider for clarification on a prescription. Sometimes, larger pharmacies will have care coordination teams that will support patients and may need patient history. The requests from CVS and other pharmacies are not very common.

Initial Identification

Another ROI company, CIOX, alerted AHIOS in early October 2021 about receiving fraudulent requests. CIOX initially reported they had received about 150 fraudulent requests from groups purporting to be Walgreens, Walmart, Kroger, and CVS Caremark. CIOX confirmed directly with these organizations that they did not and were not seeking patient information. The initial reports indicated the information was being requested to go to fax numbers located in Florida. It was believed that a known Florida-based group connected to insurance fraud was perpetrating these requests.

AHIOS members began identifying potentially fraudulent requests that they had received based on the initial alert. ScanSTAT identified requests as early as August 2021.

The initial batches had outdated logos and incongruent telephone numbers. This is part of a request received by a provider in Wisconsin:

CVS caremark®

Patient: [redacted]
Date of: [redacted]

This patient is under the care of [redacted]. We have received a signed form that we faxed over in regards to the patient but the last office visit notes were missing along with the copy of form which is required to update the records.

Please fax the requested last office visit notes to the given fax number (867) 888-[redacted].

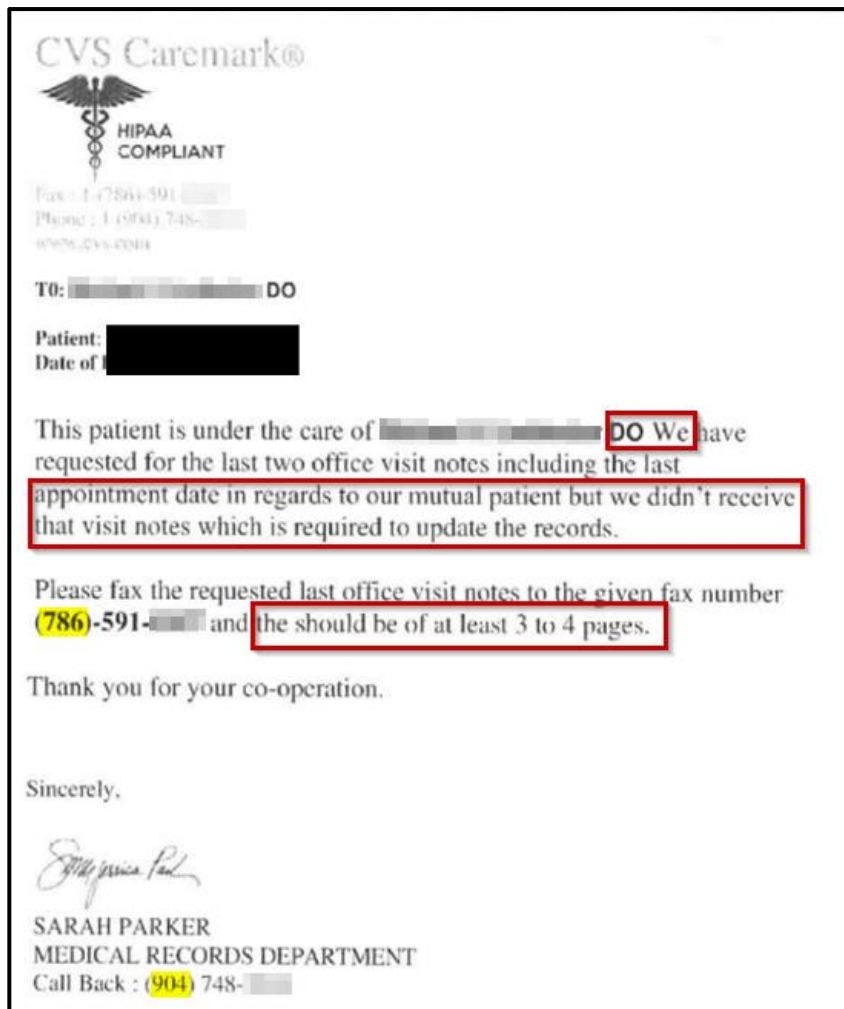
Thank you for your co-operation. Please let us know if you need any additional information.

CVS CAREMARK RECORDS DEPT.

Fax: 867-888-[redacted]
Phone: 804-297-[redacted]

Notice that the area codes are 867 (Canada) and 804 (Virginia), which is incongruent. Also, there is no address for the pharmacy location. And, the “CVS caremark” logo is not the correct one.

An Illinois-based AHIOS client received the following fraudulent request in September 2021:



This request has several identifying marks that indicate it is fraudulent:

- The text of the request has several grammatical errors (e.g., missing periods, commas, etc.).
- The fax number and call back number are from different area codes: 786 (Miami, Florida) and 904 (Jacksonville), respectively.
- There is a “HIPAA Compliant” tag and logo near the top which is not a real certification.
- As with the last request, the “CVS Caremark®” is not the correct logo.
- This request was sent by Sarah Parker. The signature used for the request is the actual signature for the actress, Sarah Jessica Parker, of “Sex in the City” fame.

Since the initial reports, AHIOS members have identified multiple other attempts. The same or similar identifying marks have been found on these subsequent attempts, including:

Outdated or Inaccurate logos



Grammatical errors or strange wording

We have received a signed copy of prescription
Thank you for your co-operation.

Ties to Miami, Florida

A majority of the fraudulent requests have used 786 area code numbers. The 786 exchange is for the Miami, Florida, area. Callers to the phone numbers associated with the fraudulent requests hear automated messages that "the subscriber you're trying to reach is unavailable". This is not the automated CVS response when calling the correct number.

Signatures of Celebrities

As identified above, the signature used was for the actress Sarah Jessica Parker. These fraud perpetrators have also used other celebrities, such as actor Samuel L. Jackson. It appears they are obtaining the signatures on Google image or Wikipedia searches, and then placing them on the requests to appear more legitimate.

What AHIOS has done

In October 2021 after identifying these requests, AHIOS reached out to the U.S. Department of Health and Human Services (HHS) and the Federal Bureau of Investigation. We have supplied these organizations with the background information. To date, we have not received any word back about this.

If you or your organization receives a request, we recommend reporting it internally to your Privacy and Compliance department. Also, you are welcome to report it to AHIOS through ScanSTAT's Compliance and Security department at compliance@scanstat.com. If you do send the request outside of your network, please de-identify the request (e.g., remove any PHI regarding the patient).

About the Association of Health Information Outsourcing Services (AHIOS)

Established in 1996, AHIOS is a trade association of leading health information outsourcing companies whose mission is to establish standards of excellence for the Release of Information (ROI) industry. AHIOS strives to achieve the highest levels of patient privacy throughout the ROI process by educating healthcare providers as well as federal and state agencies on the impact of legislative and regulatory initiatives and on the value that specialized ROI software and processes provide in safeguarding patient privacy and lowering healthcare costs. The association has developed a code of ethics, standards and professional values for HIM professionals; established the AHIOS Institute's Certified Release of Information Specialist (CRIS) competency program which tests ROI staff knowledge in protecting the confidentiality of patients' PHI; and continually works to educate the industry on how to remain in compliance with healthcare's complex and ever-increasing regulatory environment. For more information, visit us at www.AHIOS.org and follow us on [LinkedIn](#) and [Twitter](#).