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## 2019 Chicago Regional Compliance Conference

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## Topics for Discussion

- **Fraud statistics and recoveries**
- **Recent cases locally and around the country**
- **Recent policies and their impact on health care providers**

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## FY 2018 Statistics



- **\$2.5 billion collected for health care fraud**
- **Civil cases only – does not include criminal restitution**
- **Qui tam suits filed – 645 nationally**

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## Cases

Amerisource Bergen Corp. -- \$625 million. Largest recovery in FY18.

United Therapeutics Corp. -- \$210 million.

DaVita Medical Holdings -- \$270 million

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### Cases cont'd.

Quality Therapy & Consultation and four nursing home facilities -- \$9.7 million.

Chiropractor Henry Posada – 5 years in jail and \$4 million in restitution.

Dr. Jorge Sfeir, Carmencita and Emmanuel Agno, Jacqueline Tuanqui – all home health fraud.

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### Cases cont'd

Opioid cases:

Jacqueline Green at Allcare Discount Pharmacy in Chicago.

Mohammad Sharif – Midtown Medical Center

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## DOJ Policies and Practices

False Claims Act penalties –

\$5,500 to \$11,000 per false claim

2016 -- \$10,781 to \$21,563 per false claim

Currently, \$11,181 to \$22,363 per false claim

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## Credit for Cooperation

Credit for voluntary disclosures already exists.

Criminal defense bar sought guidelines on credit for cooperation in criminal cases.

Principles of Federal Prosecution of Business Organizations  
– Justice Manual section 4-4.112 found on the Justice.gov website.

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## CMS Rule on Affiliations

Effective date – November 4, 2019

42 C.F.R. section 424.519

Defines affiliations and disclosable events

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## Questions?

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