

# HEALTHCARE FRAUD LAWS

An Informational Bulletin  
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“WHEN COMPANIES CHEAT THE MEDICAID PROGRAM, IT RAISES COSTS FOR US ALL. MY OFFICE WILL NOT ALLOW PHARMA COMPANIES TO ENGAGE IN UNETHICAL AND ILLEGAL BEHAVIOR.  
-ATTORNEY GENERAL JOSH STEIN

<https://ncdoj.gov/attorney-general-josh-stein-reaches-settlement-over-pharma-company-kickback-allegations/>



## ANTI-KICKBACK STATUTE

### 42 U.S.C. §1320a-7b and NCGS § 108A-63

The Anti-Kickback Statute prohibits bribes, payments or rewards (directly or indirectly) – or the solicitation or offers of such remuneration – in connection with practically every aspect of health care delivery when any portion of those goods or services are paid for with federal dollars. Violations of the Anti-Kickback Statute can result in a felony conviction for the offenders, fines of up to \$25,000, and imprisonment for up to five years. Anti-Kickback violations also usually constitute violations of the False Claims Act, meaning that Anti-Kickback investigations can likewise result in fraud liability.

### WHAT DO THOSE WORDS MEAN?

**SOLICITATION= THE ACT OF ASKING FOR OR TRYING TO GET SOMETHING FROM SOMEONE**

**REMUNERATION= ANYTHING OF VALUE**

**LIABILITY= BEING RESPONSIBLE FOR SOMETHING, ESPECIALLY BY LAW**