HEALTHCARE FRAUD LAWS

An Informational Bulletin brought to you by Alliance Health

"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