

Report on Medicare Compliance Volume 30, Number 19. May 17, 2021 DOJ Recovers Medicaid Dollars From Facility Over COVID-19 Practices

By Nina Youngstrom

In a new take on enforcement in COVID-19 times, the U.S. Attorney's Office for the Northern District of Iowa said May 10^[1] that it has entered into a settlement agreement with a Texas-based long-term care company over the infection control practices at one facility.

Care Initiatives agreed to repay the federal government \$214,200 in connection with Medicaid funds for patient stays at Dubuque Specialty Care (DSC), a long-term care (LTC) facility in West Des Moines, Iowa, from April 14, 2020, to July 1, 2020, according to the settlement. At that time, some residents tested positive for COVID-19 and/or were suffering from the infection, the settlement says. "The United States alleges that DSC's practices surrounding COVID-19 during this period—including but not limited to allegedly deficient procedures and criteria for screening symptomatic employees—entitle the United States to restitution for the federal share of money paid from Medicaid for the period," the settlement states. The federal government is recovering what's known as "federal financial participation," not the entire Medicaid payment. Care Initiatives didn't admit liability in the settlement.

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