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CARES Act providers should be worried about enforcement actions

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Since almost the first distribution of provider relief funds (PRFs) under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Department of Justice and the Department of Health & Human Services' Office of Inspector General (OIG) have been very public about pursuing enforcement actions. On February 1, one of the first criminal convictions occurred when the former owner of a Michigan healthcare company pleaded guilty to theft of public moneys, which carries a potential jail term of 10 years.^[1] The plea was in connection with the misappropriation of \$37,657 in COVID-19 relief money. In a presentation at the Federal Bar Association on February 23, OIG Chief Counsel Greg Demske indicated the OIG's focus will continue to be in areas where it expects to recover the most money, one of which is fraud related to pandemic relief dollars. Demske indicated the OIG would use its Data Analytics Group in these efforts by identifying anomalies such as outlier distributions of CARES Act PRFs.^[2] He also pointed out that the OIG has settled five civil monetary penalty cases over allegations of false certifications.^[3]



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