

## Report on Medicare Compliance Volume 31, Number 44. December 12, 2022 Hospital Settles CMP Case Over Excluded Medical Utilization Director

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By Nina Youngstrom

A hospital in Puerto Rico has agreed to pay \$105,411 in a civil monetary penalty settlement (CMP) over its employment of a medical utilization director who is excluded from Medicare and other federal health care programs. The settlement amount is double the restitution.

The HHS Office of Inspector General (OIG) alleged that Liga Puertorriqueña Contra el Cáncer, doing business as Hospital Oncológico Dr. Isaac González Martínez in Río Piedras, employed Wanda Ayala-Marrero from Sept. 1, 2018, to Dec. 31, 2020, to provide services that were paid by federal health care programs, according to the settlement, which was obtained through the Freedom of Information Act. OIG contends the hospital knew or should have known that Ayala-Marrero, the medical utilization director, was excluded from federal health care programs and therefore they don't pay for services she provided. The hospital didn't admit liability in the settlement.

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