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Michigan Hospital Settles Case Over Excluded Nurse Who Was Employed There for 13 Years

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A Michigan hospital has settled a case with the HHS Office of Inspector General (OIG) over a nurse it employed for 13 years who was excluded from Medicare and other federal health care programs all that time.

Ascension Providence Rochester Hospital agreed to pay \$545,834 in a civil monetary penalty settlement that stems from its self-disclosure.

According to its settlement and a related memo, the hospital employed the nurse from Feb. 4, 2008, to Oct. 2, 2021, for the provision of items and services reimbursed by federal health care programs. The nurse had been excluded in 2000, and OIG alleged the hospital knew or should have known the nurse was excluded. As OIG noted in its 2013 special advisory bulletin on exclusions, “no Federal health care program payment may be made for any items or services furnished (1) by an excluded person or (2) at the medical direction or on the prescription of an excluded person.”^[1] That includes payments to a hospital for services provided by an excluded nurse “even if the nurse’s services are not separately billed and are paid for as part of a Medicare diagnosis-related group payment received by the hospital,” the bulletin stated.

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