

Report on Medicare Compliance Volume 30, Number 4. February 01, 2021 Hospital, Doctors Pay \$3M to Settle CMPL Case Over Cath Lab Lease

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Saint Peter's University Hospital and New Brunswick Cardiac Cath Lab LLC in New Jersey have agreed to pay \$3.04 million to settle a civil monetary penalty case about lease payments. The settlement is an example of Stark and kickback allegations based on structural violations, without any mention of fair market value or commercial reasonableness, an attorney said.

According to a settlement with the HHS Office of Inspector General (OIG), Saint Peter's allegedly made lease payments to New Brunswick on a per-procedure basis from July 1, 2012, through June 30, 2018, and the cath lab paid its physician investors from the "per-click" payments. OIG alleged the lease payments were remuneration that violated the Civil Monetary Penalties Law (CMPL) applicable to physician self-referrals and kickbacks. The settlement, which was obtained through the Freedom of Information Act, said 24 individual physician investors and two physician group investors received payments.

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