

HEALTH CARE FRAUD INVESTIGATIONS

Federal and state investigative agencies have made investigations in health care and insurance fraud their primary focus in the past few years. There is no other area of law enforcement that has drawn more interest by both state and federal regulators. The opioid crisis has compounded the problem for medical practitioners and given them the status of targets rather than partners in providing health care to the public. The U.S. Department of Justice (“DOJ”) has made investigating and prosecuting medical professionals in the healthcare arena its dominant focus – both civilly and criminally.

Common targets of state and federal investigations in healthcare matters include:

- General practitioners
- Dentists
- Pain management physicians
- Oncologists
- Chiropractors
- Radiologists
- Podiatrists
- Optometrists
- Neurologists
- Sports Medicine Practitioners
- Ophthalmologists
- Emergency Medical Providers
- Internal Medicine Providers
- Cardiologists
- Obstetrics Providers
- Dermatologists
- Psychiatrists
- Pharmaceutical sales representatives
- Recruiting managers

Any healthcare practice or practitioner can become a target of a state or federal investigation by the simple act of growing their practice. State and federal healthcare agencies, such as the Department of Health and Human Services (“HHS”) and the Georgia Medicaid Fraud Control Unit (“MFCU”), have consistently conducted billing audits of healthcare providers based on examinations of annual growth rates for cost-code

billings. See the Georgia AG's Medicaid Fraud Control Unit site for more information on their procedure: <https://law.georgia.gov/medicaid-fraud-control-unit>

If a practitioner performs a particular procedure at a rate that greatly exceeds the prevailing norm in the industry then he can expect that it will draw the attention of the auditors, and at some point, perhaps law enforcement.

Likewise, if a medical practitioner's office codes procedures in a way that attracts the attention of auditors (or whistleblowers) then they should expect that an investigation will ensue.

The DOJ, HHS, FBI, and the MFCU Unit expend ever-increasing resources investigating medical practitioners for accounting irregularities and "up-coding," the process where medical billing systems are charged additional fees for routine services. The Dillon Law Group has extensive experience in representing health care professionals and health care practices in both civil and criminal investigations. We routinely defend clients where the Government alleges that there has been over billing, up-coding of procedures, charges to governmental agencies for patients that were not provided services, billing for durable medical equipment that has not been provided, payment of kickbacks in the provision of services, fraudulent pharmaceutical practices, over prescribing, Stark Act violations, and prescription drug abuse. The Government will not hesitate to pursue physicians and other medical practitioners if it feels fraud has been committed.

If your medical practice has been implicated in a state or federal fraud investigation then you need experienced and aggressive representation. If the Government has decided that you or your practice has violated the rule of law, they will use every tool at their disposal to examine every file and every aspect of your practice – going back for a decade, if they feel it is necessary.

With a former federal prosecutor with decades of experience in these cases, the Dillon Law Group can anticipate the strategy that the Government will use to try to make its case. We protect the interests of our clients, whether they are pharmacists, medical practitioners, chiropractors, pharmaceutical sales reps, or medical billing personnel. We have had substantial success convincing the Government that prosecution is inappropriate in "gray areas" where a particular practice may not justify criminal sanction. In these gray areas, we work closely with our clients, and relevant experts, to convince the Government that the particular practice is not a violation and that fraudulent intent is not evident. The Dillon Law Group has extensive experience conducting internal investigations in healthcare matters to defend our client's interests. Our objective is to minimize the client's exposure and to resolve the matter in a way that comports with the client's best strategic interest.

Discuss your case with the Dillon Law Group by calling our office at **404.713.3283**.

We are glad to discuss your situation, in a free consultation, to see if we can be of assistance. Contact us at william@dillonlawgroup.com