

*Webinar on*

# **The Federal False Claims Act: Enforcement and Recent Updates**

# Areas Covered

- A review of the Federal False Claims Act, its history, how it works, its proof requirements, pleading requirements and damages*
- New enforcement actions and penalties under the Affordable Care Act*
- A review of recent cases involving the False Claims Act*



The session will provide an overview of the Federal Civil False Claims Act (FCA) and how it works.

**PRESENTED BY:**

*William Mack Copeland, MS, JD, Ph.D, LFACHE, practices health care law in Cincinnati at the firm of Copeland Law, LLC and often serves as hearing officer in medical staff disciplinary proceedings. A graduate of Northern Kentucky University Salmon P. Chase College of Law, Bill is a frequent author and speaker on health law topics.*

On-Demand Webinar

Duration : 60 Minutes

Price: \$200

# Webinar Description

The session will provide an overview of the Federal Civil False Claims Act (FCA) and how it works. It will also provide an assessment of enforcement activities, showing how participants may be at risk. In addition, the session will review recent cases and show how they potentially impact participants.

We will start with a review of the Federal False Claims Act and discuss how it works and how it is being used to fight health care fraud. We will discuss how the various health care fraud task forces use the Federal False Claims Act and its whistleblower provisions to identify and prosecute health care fraud. The webinar will take the Federal False Claims Act apart and show step by step how an action is filed, how the government responds and how the courts interpret various elements of the Act. We will discuss proof, damages under the Act and how the whistleblower is rewarded for bringing a successful case.



The session will also provide an overview of the Anti-Kickback Statute (AKS) and review what it prohibits, as well as a general review of the AKS available safe harbors. It will also show how violation of the AKS can raise FCA concerns, and it will provide an assessment of enforcement activities, showing how participants may be at risk. In addition, the session will review recent cases and show how they potentially impact participants.

We will provide an in-depth review of the AKS, focusing on what is prohibited under the Act and what the exceptions are. We will also review the case law, particularly the early case law that sets the stage and basis for how the courts interpret the law.

We will also review the changes made to both the False Claims Act and the Anti-Kickback Statute made by the Affordable Care Act. Finally, the webinar will review various cases to show how easy it is to run afoul of the Statute, and how the courts view compliance with it. In addition, we will discuss the latest updates to both the False Claims Act and the Anti-Kickback Statute.



# Who Should Attend ?

*Hospital executives, particularly CEOs, COOs, CFOs, CNOs, and CMOs*

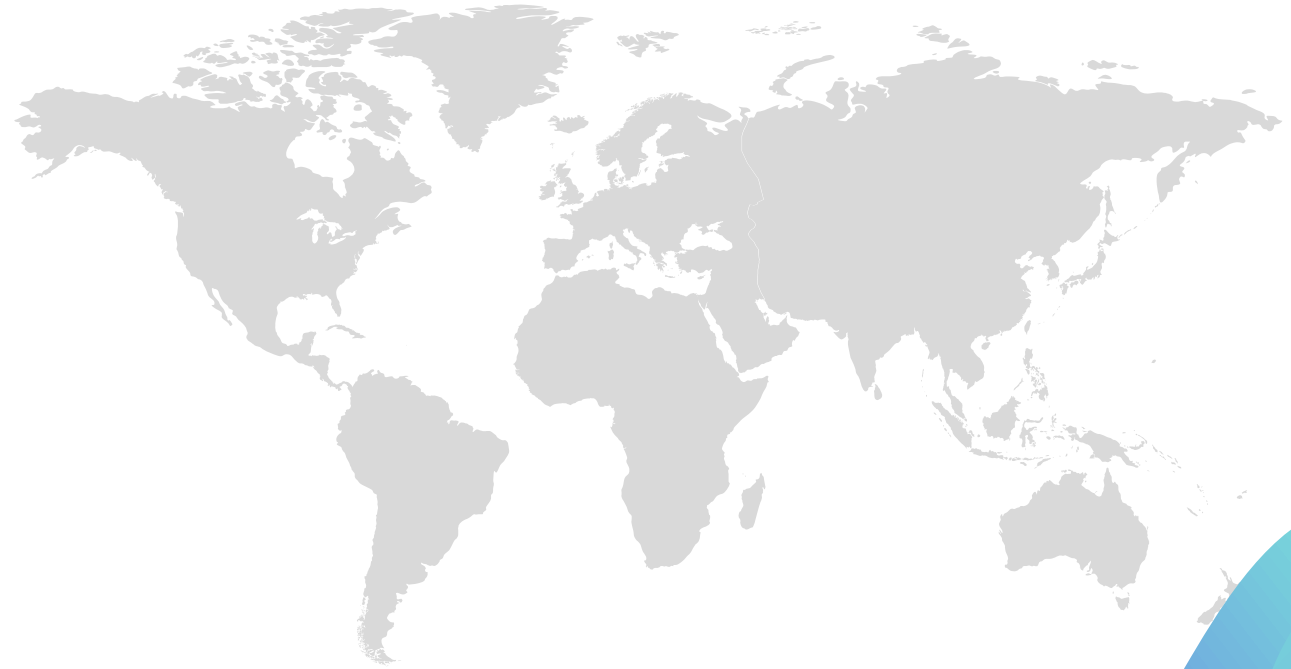
*Nursing home executives*

*Physicians*

*Physician practice managers*

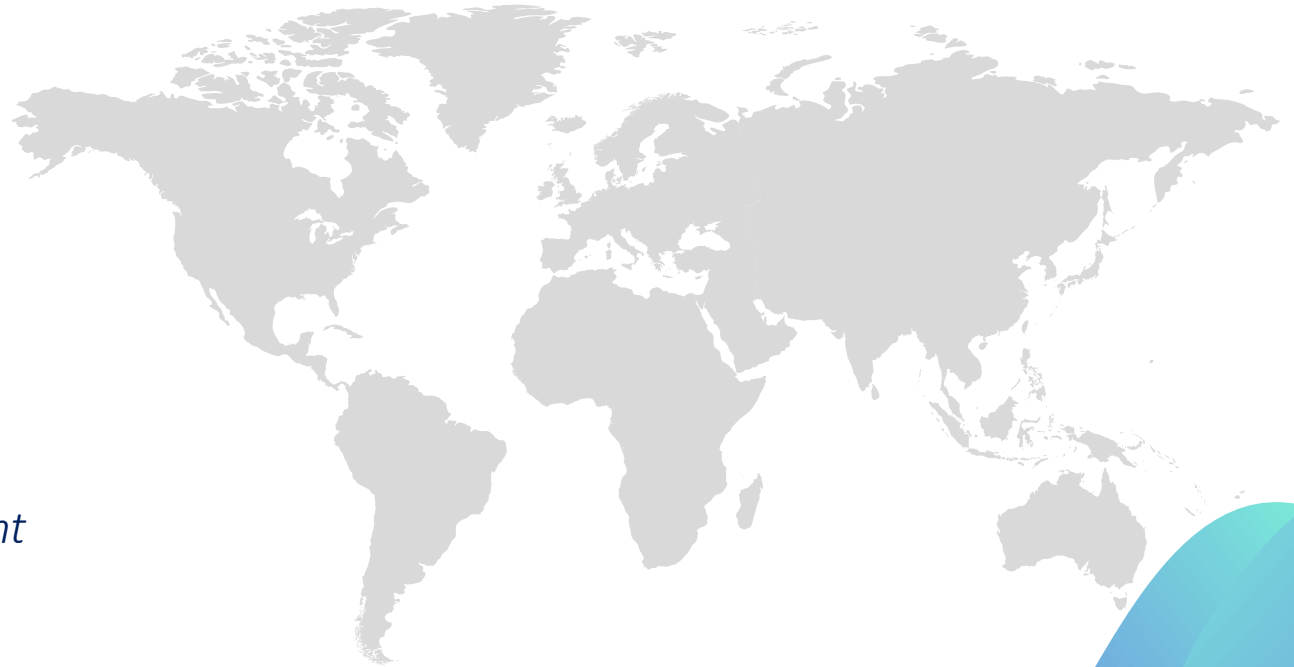
*Other healthcare provider executives*

*Attorneys representing health care providers and practitioners*



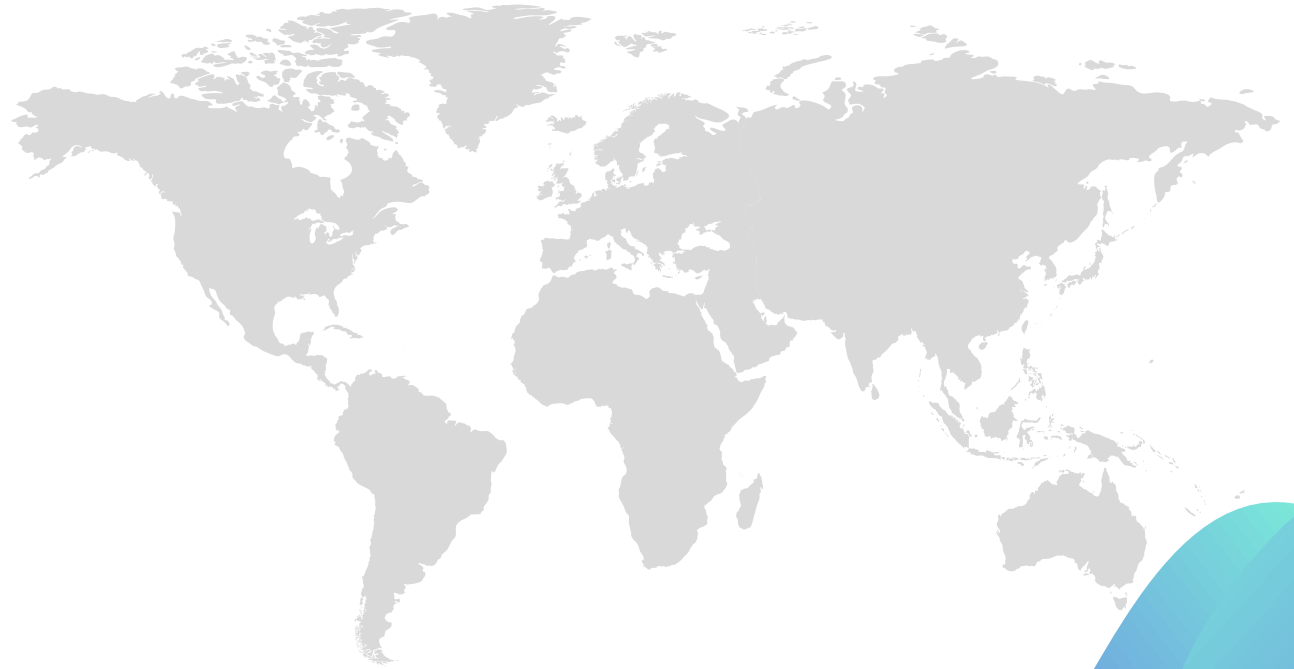
# Why Should Attend ?

*This session is designed for health care executives, physicians, other health care providers who participate in and receive remuneration from Medicare, Medicaid, and other federal health care programs such as TriCare, and the attorneys and consultants who advise them. The health care executive, physician or other health care provider, should be very concerned about the potential for enforcement actions under the FCA. This is important because under recently enacted health care laws, enforcement and health care fraud task forces have been greatly enhanced. Recovery under the FCA last year resulted in over \$4.9 billion being recovered for the federal government, \$24.2 billion since the law was revised to make it more relator friendly in 1986.*





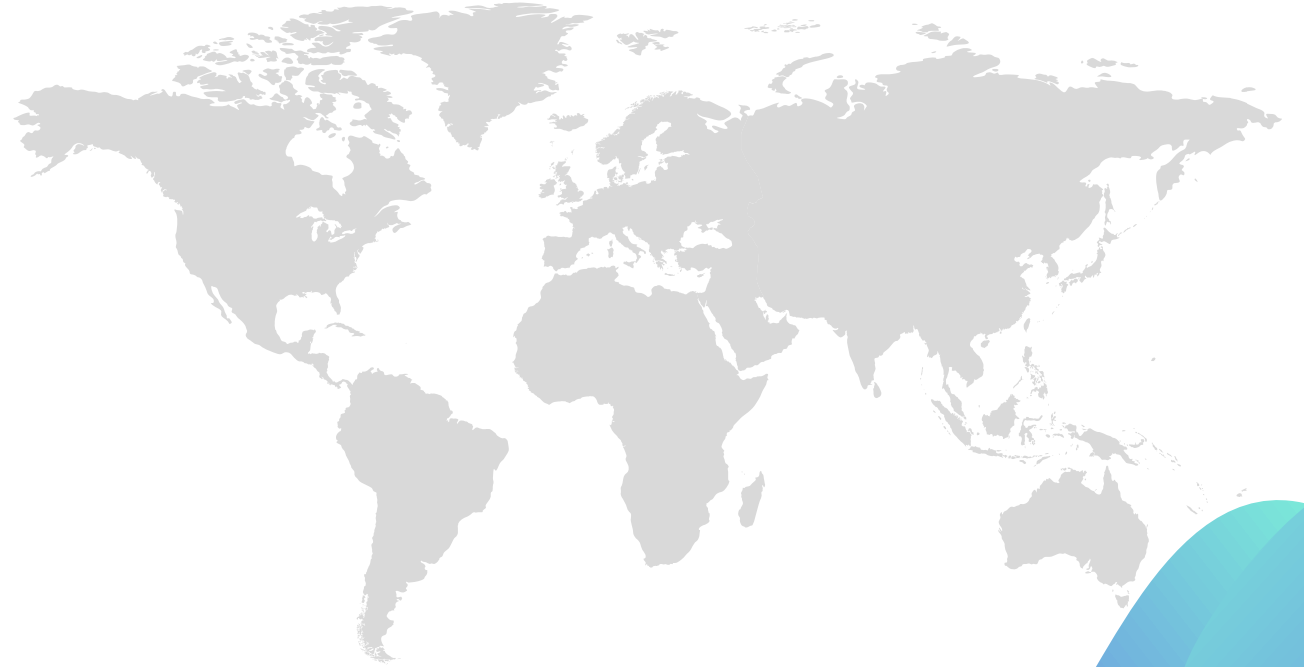
Since 1986, whistleblowers have been awarded nearly \$4 billion, with \$439 million in awards in the fiscal year 2012. And whistleblowers are where a majority of the FCA suits originate. Several recent cases involving healthcare providers have resulted in huge settlements. If that is not enough to get your attention, consider the recent cases finding that the “responsible corporate officer doctrine” allows the government to hold hospital CEOs and others directly responsible for the fraud. In a recent case, executives paid \$1 million to settle allegations of fraud and were excluded from participation in federal health care programs. You will want to attend this webinar to learn how to protect yourself and your organization.





# Topic Background

*Recent cases and/or enforcement actions involving the FCA raise serious concerns regarding compliance issues with hospitals, physician practices, and other healthcare entities. Recoveries under the FCA are at an all-time high, and the percentage of actions involving healthcare organizations has been increasing at exponential rates.*



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**740 870 0321**