



HEALTHCARE FRAUD = VIGOROUS PROSECUTION

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The Department of Justice (DOJ) is making the prosecution of healthcare fraud a priority. This is straight from the mouth of DOJ's chief of the Health Care Fraud Unit, whose name is Hank Walther.

In a recent interview, Walther revealed that DOJ is committing significant resources to fighting healthcare fraud. Since the creation of the Medicare Fraud Strike Force in 2007, the number of prosecutors working on such fraud cases has increased from six to over twenty. In 2009 alone, the DOJ: (i) won or negotiated approximately \$1.63 billion in judgments and settlements, (ii) opened more than 1000 new criminal healthcare fraud investigations, and (iii) convicted 580 defendants. The DOJ is focusing on services that tend to have high concentrations of fraud: infusion therapy, durable medical equipment, home healthcare, and physical therapy.

But for providers who worry that simple errors or mistakes will be cause them to be the target of prosecution, Walther offers some assurances. He points out there has always been clear criminal intent in the cases that the DOJ has pursued. He suggests an organization use the self-disclosure protocols if it discovers that criminal fraud may have occurred. Also, it is often abnormalities in the billing data that send the initial red flag to the DOJ.

You can read the entire interview with Hank Walther [here](#).