

Compliance Today – October 2019 Physician lease monitoring

By John Falcetano

John Falcetano (john.falcetano@brooksrehab.org) is Director Corporate Compliance at Brooks Health System in Jacksonville, FL.

A critical element of any effective compliance program is monitoring. As a service to our members, each month this column focuses on potential monitors for specific business lines.

Several kinds of legal agreements with providers should be monitored by compliance professionals. When dealing with physician lease agreements, we need to monitor Stark Law and Anti-Kickback Statute (AKS) compliance. Stark Law prohibits physicians from referring Medicare patients for designated health services to any entity with which the physician, or their immediate family member, has a financial relationship. The AKS on the other hand, prohibits receiving anything of value for patient referrals when the services are payable by federal healthcare programs. Illegal remuneration can include anything from paying for a physician's lodging and meals to giving them cash.

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