

## Report on Medicare Compliance Volume 28, Number 36. October 14, 2019 News Briefs: October 14, 2019

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◆ **Fresenius Medical Care North America Inc. has agreed to pay \$5.2 million to settle allegations that it tested dialysis patients for Hepatitis B surface antigen more often than medically necessary and billed Medicare for the unnecessary tests, the U.S. Attorney's Office for the District of Massachusetts said Oct. 9. Visit <http://bit.ly/310d00z>.**

◆ **Elite Dental Associates in Dallas agreed to pay \$10,000 and implement corrective actions to settle potential HIPAA violations, the HHS Office for Civil Rights (OCR) said Oct. 2. OCR got a complaint in June 2016 from an Elite patient who alleged the dental practice had responded to a social media review by disclosing the patient's last name, details of her treatment plan, and insurance and cost information. "OCR's investigation found that Elite had impermissibly disclosed the protected health information (PHI) of multiple patients in response to patient reviews on the Elite Yelp review page," OCR said. Also, Elite lacked a policy and procedure to ensure its social media interactions protected PHI and a Notice of Privacy Practices that complied with the HIPAA Privacy Rule, OCR alleged. "Social media is not the place for providers to discuss a patient's care," said OCR Director Roger Severino in a press release. OCR noted it agreed to a significantly reduced settlement amount because of "Elite's size, financial circumstances, and cooperation with OCR's investigation." Visit <http://bit.ly/2MuatC6>.**

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