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By Nina Youngstrom

◆ **North Carolina physician Damian Brezinski and his medical group, Wilmington Health, agreed to pay \$244,000 to settle false claims allegations in connection with cardiac stent procedures**, the U.S. Attorney's Office for the Eastern District of North Carolina said Nov. 12. The investigation of Brezinski got underway after a self-disclosure from New Hanover Regional Medical Center in Wilmington, North Carolina. "The hospital reported that an internal audit uncovered potentially false claims for cardiac stenting procedures that Dr. Brezinski performed in that facility," the U.S. attorney's office said. An independent investigation by the government found that from 2010 to 2014, Brezinski put arterial stents in patients who allegedly didn't need them, according to their medical records. Then he and his medical group billed Medicare and TRICARE for the procedures. The U.S. attorney's office said that New Hanover Regional Medical Center separately agreed to repay \$900,000 in facility fees it received for the stent insertions. There were no admissions of liability. Visit <http://bit.ly/2NGN2Hx>.

◆ **About two weeks after Sanford Health, Sanford Medical Center and Sanford Clinic agreed to pay \$20.25 million to settle false claims allegations in connection with a former employed neurosurgeon**, Wilson Asfora, his spinal surgeries, and his physician-owned distributorship (POD),^[1] the Department of Justice (DOJ) said Nov. 14 that it filed a False Claims Act^[2] complaint against Asfora and his POD, Medical Designs LLC.^[3] DOJ alleges that Asfora, Medical Designs and another company he and others created, Sicage LLC, "engaged in multiple kickback schemes designed to pay Asfora hundreds of thousands of dollars in exchange for Asfora using spinal devices distributed by Medical Designs and Sicage in his spine surgeries. Despite receiving numerous warnings that he was performing medically unnecessary procedures with the devices in which he had a financial interest, Asfora allegedly continued to perform such procedures while personally profiting from his use of devices sold by Medical Designs and Sicage."

¹ Nina Youngstrom, "Sanford Health Settles FCA Case for \$20M Over Spine Surgery; CCO Allegedly Was Warned," *Report on Medicare Compliance* 28 no. 39 (November 4, 2019), <http://bit.ly/33S2HJK>.

² 31 U.S.C. §§ 3729-3733.

³ DOJ, "United States Files False Claims Act Complaint against South Dakota Neurosurgeon and Physician-Owned Distributorships," news release, November 14, 2019, <http://bit.ly/351nMla>.

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