

Report on Medicare Compliance Volume 28, Number 42. November 25, 2019 In FCA Case Over Signatures and Refills, Kentucky Hospital Pays \$10M

By Nina Youngstrom

A hospital in Louisville, Kentucky, has settled false claims allegations that its retail pharmacy billed Medicare for prescription drugs without a physician signature on the order and charged for refills without checking whether they were necessary.

Jewish Hospital & St. Mary's HealthCare Inc., doing business as Pharmacy Plus and Pharmacy Plus Specialty, agreed to pay \$10.1 million, the Department of Justice (DOJ) said Nov. 20.^[1] DOJ also alleged the hospital gave some patients free blood glucose testing supplies and waved their copays.

The case was set in motion by a whistleblower, pharmacist Robert Stone. According to the False Claims Act^[2] complaint, Jewish Hospital is a regional provider of organ transplants, and Pharmacy Plus was its in-house pharmacy. Pharmacy Plus served employees, patients and the public, filling immunosuppressant prescriptions for transplant patients. The hospital also operated Pharmacy Plus Specialty, a mail-order business.

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