

## Report on Medicare Compliance Volume 30, Number 9. March 08, 2021 Medical Group Pays \$373,715 to Settle CMP Case on Supervision

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By Nina Youngstrom

Children's Hospital Los Angeles Medical Group has agreed to pay \$373,715 to settle allegations it billed for radiology services performed by residents without "appropriate" supervision, according to a civil monetary penalty settlement with the HHS Office of Inspector General (OIG). This is the latest in a series of settlements with providers for submitting claims for services that were performed by residents without the physical presence of the teaching physicians.

Teaching physician billing "is still very much a live issue," said attorney David Vernon, with Hooper, Lundy & Bookman in Washington, D.C. "Going back to the OIG Physicians at Teaching Hospitals audits 25 years ago, it has gotten the government's attention for many years as an area of potential fraud." Meanwhile, as with everything since the COVID-19 pandemic, CMS has given teaching physicians the flexibility to supervise residents virtually.

The settlement, which was obtained through the Freedom of Information Act, stemmed from a self-disclosure to OIG by Children's Hospital Los Angeles Medical Group. OIG alleged the medical group knowingly submitted claims to Medicaid for services it knew were fraudulent. From Feb. 1, 2013, through March 31, 2018, the medical group billed Medicaid for radiology services performed by a physician that allegedly "were not provided as claimed because the radiology images were reviewed and the radiology reports were prepared by residents without appropriate supervision and review" by the physician.

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