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◆ CMS' supplemental medical review contractor (SMRC) is now doing postpayment reviews of Medicare claims for electrodiagnostic (EDX) testing axial muscles and spinal levels with 2019 dates of service, according to its website.^[1]

◆ A Maryland physician pleaded guilty to conspiracy to violate the Anti-Kickback Statute in connection with a scheme to take payments from the drug manufacturer Insys Therapeutics Inc. in return for prescribing Subsys, a fentanyl spray it makes for breakthrough pain in cancer patients, for off-label purposes, the U.S. Attorney's Office for the District of Maryland said June 10.^[2] Howard Hoffberg, M.D., of Reisterstown, Maryland, was the associate medical director and part-owner of Rosen-Hoffberg Rehabilitation and Pain Management. "In order to conceal and disguise that kickbacks and bribes were being paid to Hoffberg to prescribe Subsys, Insys falsely designated the payments to Hoffberg as 'honoraria' for purportedly providing educational programs about Subsys (the 'Speakers Bureau Program')," said the U.S. Attorney's Office for the District of Maryland. "As part of the scheme, through January 2018 Hoffberg prescribed Subsys to patients of the Practice who were not suffering from cancer, some of whose insurance coverage was paid for, in whole or in part, by a federal healthcare program." The HHS Office of Inspector General recently warned about speaker programs in a special fraud alert.^[3]

¹ "01-047 Electrodiagnostic Testing Axial Muscles and Spinal Levels Notification of Medical Review," Noridian Healthcare Solutions, last updated June 10, 2021, <https://bit.ly/2SowUzE>.

² U.S. Department of Justice, U.S. Attorney's Office for the District of Maryland, "Associate Medical Director of Baltimore County Pain Management Practice Pleads Guilty to Accepting Kick-Backs," news release, June 10, 2021, <https://bit.ly/3whrFQP>.

³ U.S. Department of Health & Human Services, Office of Inspector General, "Special Fraud Alert: Speaker Programs," November 16, 2020, <https://go.usa.gov/x7m3B>.

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