

Report on Medicare Compliance Volume 31, Number 23. June 27, 2022 Hospital and Its Vendor Settle HBOT Case Over Billed Units; Documenting Time Is Key

By Nina Youngstrom

In a case about hyperbaric oxygen therapy (HBOT), a hospital and its vendor entered into a civil monetary penalty settlement with the HHS Office of Inspector General (OIG).

St. John's Riverside Hospital in Yonkers, New York, and Healogics LLC, which manages wound care centers at 600 hospitals across the country, agreed to pay \$426,431 to settle allegations that Medicare and Medicaid were billed for more HBOT than provided. The settlement stemmed from their self-disclosure about HBOT, which is a treatment for certain wounds and infections.

According to the settlement, which was obtained through the Freedom of Information Act, OIG contends that St. John's Riverside and Healogics presented, or caused to be presented, claims to Medicare Parts B and C and New York Medicaid (fee-for-service and managed care) that were false or fraudulent. "Respondents knowingly made, used, or caused to be made or used, false records or statements material to false or fraudulent claims for items or services furnished under such Federal Health Care Programs," OIG alleged. Between July 28, 2014, and July 28, 2020, certain Healogics employees allegedly caused the hospital to submit claims to the federal health care programs for more units of hyperbaric oxygen treatment than were provided to the patient and to get paid for them. The respondents were accepted into OIG's Self-Disclosure Protocol in November 2021. They didn't admit liability in the settlement. Neither Healogics nor St. John's Riverside responded to RMC's request for a comment.

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