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Health System Settles Case on Free CME; It Self-Disclosed After Internal Review

By Nina Youngstrom

Free continuing medical education (CME) and meals for physicians are at the heart of a Missouri academic health system's settlement with the HHS Office of Inspector General (OIG). As a "sleeper compliance issue," CME is ripe for oversight from compliance officers at hospitals that provide it to referring physicians, an attorney said.

The Curators of the University of Missouri on behalf of University of Missouri Health Care and University Physicians (the "respondent") agreed to pay \$100,000 in the settlement. OIG alleged that from July 1, 2015, through July 30, 2021, respondent provided remuneration to 102 community physicians in the form of free CME and meals. OIG alleged the freebies violated the civil monetary penalty provisions applicable to the Anti-Kickback Statute and Stark Law, according to the settlement, which was obtained through the Freedom of Information Act.

The settlement stemmed from a self-disclosure to OIG by the University of Missouri Health Care and University Physicians, which was accepted to the Self-Disclosure Protocol on Jan. 21, 2022. The CME issue came to light after MU Health Care, as University of Missouri Health Care is known locally, "initiated an internal review of the program," Eric Maze, a spokesperson for MU Health Care, told RMC. "MU Health Care historically arranged CMEs from time to time to educate external providers on specific medical practices and issues, many related to our trauma, stroke or STEMI [ST elevation myocardial infarction] services. In some cases, MU Health Care is required to provide training and education as part of an accreditation process," he explained. "Boxed-type lunches were provided at some of the sessions at no cost, which was contrary to MU Health Care policy." Moving forward, the academic health system "will no longer sponsor CME sessions unless a fair market value charge is paid by outside providers attending." Maze noted that as soon as MU Health Care identified the CME concerns, staff received further training.

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