

## Report on Medicare Compliance Volume 32, Number 16. April 24, 2023 FCA Settlement Alleges Billing for Services by Unsupervised Residents

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By Nina Youngstrom

Meharry Medical College in Nashville, Tennessee, has agreed to pay \$100,749 to settle false claims allegations that it billed Medicare for certain services provided by unsupervised, nonphysician residents, the U.S. Attorney's Office for the Middle District of Tennessee said April 17.<sup>[1]</sup> The settlement also requires Meharry to implement a policy on billing for residents and train faculty accordingly.

The government alleged that Meharry submitted false claims to Medicare Part B for physician services provided at Nashville General Hospital when the services were actually performed by unsupervised nonphysician residents from Jan. 1, 2016, to March 15, 2020, according to the False Claims Act (FCA) settlement.<sup>[2]</sup> The services were provided in the internal medicine, OB/GYN and psychiatric outpatient clinics and in psychiatric consultations.

The dollar amount of the settlement was "modest" because most of the patients treated by the unsupervised residents were prisoners of the county and only some of the patients were covered by Medicare, said Gary Blackburn, the attorney for the whistleblower, Rachel Thomas, M.D., who set the case in motion. Nashville General Hospital is city owned and the city charter requires it to provide health care to indigent people, including prisoners, said Blackburn, with The Blackburn Firm PLLC.

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