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Texas Hospital Settles CMP Case Over Orthopedic Call Coverage

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St. Luke's Baptist Hospital in San Antonio, Texas, agreed to pay \$232,200 to settle allegations that it overpaid two orthopedic surgeons for being on call to the emergency room, according to a civil monetary penalty settlement with the HHS Office of Inspector General (OIG).

OIG contends between April 1, 2017, and Sept. 30, 2018, the hospital paid remuneration to two physicians "in the form of a disproportionate amount of compensated orthopedic surgery emergency on-call coverage." The hospital allegedly violated the Civil Monetary Penalties Law provision applicable to kickbacks and "presented claims to the Medicare program for designated health services" that resulted from prohibited referrals, OIG alleged.

The settlement stemmed from St. Luke's self-disclosure to OIG. The hospital was accepted into OIG's Self-Disclosure Protocol in January 2020, according to the settlement, which was obtained through the Freedom of Information Act. No additional details were available, and the hospital didn't respond to RMC's requests for comment. It didn't admit liability in the settlement.

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