

## Report on Medicare Compliance Volume 29, Number 37. October 19, 2020

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◆ Merit Medical Systems Inc. (MMSI), of South Jordan, Utah, agreed to pay \$18 million to settle false claims allegations that it paid kickbacks to physicians and hospitals to encourage the use of MMSI products, the Department of Justice (DOJ) said Oct. 14.<sup>[1]</sup> The settlement resolves allegations that MMSI used its “Local Advertising Program” to give providers millions of dollars in free advertising, educational grants, and practice support and development to induce their use of MMSI products in medical procedures performed on Medicare, Medicaid and TRICARE beneficiaries.<sup>[2]</sup> The case was set in motion by MMSI’s former chief compliance officer, Charles Wolf, M.D., who alleged in his false claims complaint that “Management often openly joked about compliance, coming up with a numeric system to discuss internally how risky, from a compliance standpoint, certain proposals would be.”<sup>[3]</sup> DOJ intervened in the case and filed its own.

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