

## Report on Medicare Compliance Volume 29, Number 37. October 19, 2020 Stark Waivers Related to Fair Market Value and Valuation

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By Nina Youngstrom

The blanket waivers to the Stark Law, which HHS announced March 30, will continue until the end of the COVID-19 public health emergency. Some of them apply to fair market value and valuation in financial relationships (e.g., between hospitals and physicians). “The only waiver that protects above fair market value compensation relates to personally performed services,” said attorney Victoria Sheridan, with Epstein Becker & Green in Newark, New Jersey, who pulled together this list from the waivers (see story, p. 1).<sup>[1]</sup> “The waivers that apply to leases of office space and equipment only apply when remuneration is below fair market value.” Contact Sheridan at [vsheridan@ebglaw.com](mailto:vsheridan@ebglaw.com).

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