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HAWAII'S **Complete** SOURCE

Posted on: Thursday, June 4, 2009

Hawaii hospital pays \$2.5M to settle false-billing allegations

Advertiser Staff

The Queen's Medical Center has paid \$2.5 million to settle a pair of lawsuits alleging that the hospital submitted false claims to Medicare, the state Medicaid program and TRICARE, the federal health benefits program for military dependents.

The settlement, announced by the U.S. Attorney's Office here, effectively closes the books on two civil "whistleblower" lawsuits brought in federal and state court by two former Queen's Medical Center pharmacy technicians.

The former technicians alleged that the medical center submitted false claims for pharmaceuticals dispensed at the hospital, and billed federal programs for services provided by residents without the level of supervision required by federal rules.

State and federal investigations came to two main conclusions.

First, from Sept. 8, 1999, through Oct. 28, 2002, the medical center submitted false claims to Medicare, Medicaid and TRICARE for the dispensing of anti-psychotic medications ordered by a psychiatrist. But the state and federal governments contended that the medications were actually ordered by non-psychiatrist physicians without the prior knowledge of a psychiatrist.

Second, from July 1, 1999, to June 20, 2006, the medical center submitted claims to Medicare, Medicaid and TRICARE for services provided by teaching physicians but lacked the documentary evidence to show that the teaching physicians were involved in the services to the degree required for claims submission.

The Queen's Medical Center agreed to the settlement on April 27, but denied the government's contentions.

Under terms of the agreement, Queen's paid \$2 million to the federal government and \$500,000 to lawyers for the two former technicians. The federal government shared \$400,000 of the settlement proceeds with the two technicians.

Queen's also agreed to maintain a compliance program to assure that its billings conform to applicable rules for five years as part of a corporate integrity agreement with the U.S. Department of Health and Human Services, Office of Counsel to the Inspector General.

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