



# Enforcement Trends Across the Healthcare Industry

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## Enforcement Environment

- False Claims Act
- Civil Monetary Penalties
- Data Analytics
- Interagency Cooperation
- Parallel Investigations
- Individual Accountability
- Regulatory Enhancements
- Overpayment Liability

## Enforcement Environment

- Department of Justice
  - Civil
  - Criminal
- HHS OIG
- HHS OCR
- HHS OAS
- State AG offices
- State OIGs
- State auditing
- Contractor activities
- Commercial payors

## Pandemic Related Fraud

- The COVID-19 pandemic has resulted in legislative acts involving trillions of dollars in funding to be used to help address various issues brought on by the pandemic.
  - Families First Coronavirus Response Act
  - CARES Act
  - Paycheck Protection Program and Healthcare Enhancement Act
  - Consolidated Appropriations Act

## Pandemic Related Fraud

- The DOJ is focused on detecting and prosecuting fraud related to the COVID-19 pandemic funding sources and activities.
  - “Coronavirus-related wrongdoing will continue to be a DOJ priority for the foreseeable future.”
  - The DOJ “will make it a priority to use the False Claims Act to combat fraud in the Paycheck Protection Program” and “other assistance programs created by the CARES Act.”
  - The DOJ notes that “To anyone thinking of using the global pandemic as an opportunity to scam and steal from hardworking Americans, my advice is simple – don’t.” “No matter where you are or who you are, we will find you and prosecute you to the fullest extent of the law.”

## Pandemic Related Fraud

- Pandemic Response Accountability Committee to provide oversight of the funds made available under the CARES Act.
- Special Inspector General for Pandemic Recovery
- DOJ Appointment of Associate Deputy Attorney General to serve as Director for COVID-19 Fraud Enforcement

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