

HEALTH CARE FRAUD LAWS

An Informational Bulletin brought to you by **Alliance Health**



Anti-Kickback Statute

42 U.S.C. §1320a-7b and NCGS § 108A-63

The Anti-Kickback Statute prohibits bribes, payments or rewards (directly or indirectly) – or the **solicitation** or offers of such **remuneration** – in connection with practically every aspect of health care delivery when any portion of those goods or services are paid for with federal dollars. Violations of the Anti-Kickback Statute can result in a felony conviction for the offenders, fines of up to \$25,000, and imprisonment for up to five years. Anti-Kickback violations also usually constitute violations of the False Claims Act, meaning that Anti-Kickback investigations can likewise result in fraud **liability**.

“When companies cheat the Medicaid for us all. My office will not allow pharma companies to engage in unethical and illegal behavior.”

**-Attorney General
Josh Stein**

<https://ncdoj.gov/attorney-general-josh-stein-reaches-settlement-over-pharma-company-kickback-allegations/>

What do those words mean?

Solicitation: The act of asking for or trying to get something from someone.

Remuneration: Anything of value.

Liability: Being responsible for something, especially by law