

## **Part B Insider (Multispecialty) Coding Alert**

### **Don't Let A DME Supplier Rent Your Closet**

A proposed deal in which a durable medical equipment supplier would provide DME to a physician would potentially violate the federal anti-kickback statute, the **HHS Office of Inspector General** said in Advisory Opinion 06-02.

The deal would have allowed the physician to become a DME supplier for non-Medicare patients, and the DME supplier would have rented space in the physician's office to supply DME directly to the physician's Medicare patients. The DME supplier would have paid rent, plus a percentage of revenues from the sale and rental of DME. A trained professional would have been on-site to fit and supply the DME to the patients.

Both programs, taken together, pose a "significant risk of fraud and abuse," concluded the OIG.