

Part B Insider (Multispecialty) Coding Alert

Physician Note: False Claims Conviction Also Leads to HIPAA Charges

Plus: CMS eases face-to-face burden for both physicians and home care.

If a new Department of Justice conviction is any indication of what the future holds, fraudsters could be adding years to their prison sentences by misusing protected health information in their schemes.

On Aug. 15, the DOJ announced its latest triumph, involving the conviction of a New York medical supply company owner who illegally collected \$10.7 million by using stolen Medicare information to submit fraudulent claims to the program. But unlike previous convictions of a similar nature, the DOJ added on a HIPAA indictment due to her violation of the HIPAA laws since she wrongfully disclosed patient information as part of her scheme.

"The defendant showed no regard for patients' privacy rights when she stole their personal identity information to file false medical claims," said FBI Assistant Director-in-Charge **Janice K. Fedarcyk** in a statement. "She padded her own pockets at the expense of the Medicare kitty. The verdict today should serve as a warning to those who disregard privacy laws to defraud publicly funded programs meant to help our seniors."

To read more about the case, visit www.justice.gov/usao/nye/pr/2012/2012aug15.html.