

Part B Insider (Multispecialty) Coding Alert

TEACHING HOSPITALS: Doctor Pays Fine for Wandering off PATH

Physician-presence rules in the teaching hospital setting are among the oldest compliance hot buttons around, but the feds haven't let up on investigating claims that sometimes go back a decade or more.

In a recent settlement between the U.S. Department of Justice and a Philadelphia orthopedic surgeon, the doctor had to pay only single damages plus interest to resolve the case, not the astronomical fines the feds sometimes pursue. According to U.S. Attorney **Patrick Meehan**, **Richard Rothman** and his billing company, Reconstructive Orthopaedic Associates, will pay just more than \$838,000, plus interest, to settle charges that he billed as the attending surgeon for procedures when he wasn't in the operating room long enough to satisfy Medicare reimbursement rules.

Rothman countered that he "provided all of the services expected of a physician both as a matter of proper medical care and as required by all regulations relating to reimbursement," according to settlement documents. The claims at issue in the case dated back to 1993 through 1996.

As part of the settlement, Rothman will enter into a five-year integrity agreement.