

Health Information Compliance Alert

Enforcement News: Feds Charge EHR Vendor With a \$57.25 Million Fine For False Claims

As providers know, not all EHR vendors are the same. Most are on the up-and-up, but it's still crucial to investigate their backgrounds and certifications. One recent case is a reminder that not all vendors are honest.

Tampa, Florida-based EHR company, **Greenway Health LLC**, settled with the Department of Justice for \$57.25 million under the False Claims Act (FCA) for illegal claims it submitted to the government while "misrepresenting the capabilities of its EHR product 'Prime Suite' and providing unlawful remuneration to users to induce them to recommend Prime Suite," indicated a Department of Justice (DOJ) release.

The vendor falsely acquired 2014 Edition certifications for Prime Suite; however, the EHR did not actually "fully comply" with the federal certification requirements, said the DOJ. Greenway didn't rectify its issue, but instead promoted Prime Suite and encouraged others to suggest it.

"In its complaint, the government further alleges that Greenway was aware that an earlier version of Prime Suite, which was certified to 2011 Edition criteria, did not correctly calculate the percentage of office visits for which its users distributed clinical summaries," the DOJ release noted.

Result: After reporting using the shoddy Prime Suite EHR, users "falsely attested that they were eligible for EHR incentive payments," said the report.

"Electronic health records are critically important to the health care decision process, and both patients and providers rely on these technologies to safely and accurately record and transmit vital health information," said **Jody Hunt**, Assistant Attorney General for the **DOJ's** Civil Division.

Hunt stressed, "This resolution demonstrates our continued commitment to pursue EHR vendors who misrepresent the capabilities of their products, and our determination to promote public health while holding accountable those who seek to abuse the government's trust."

For a close look at the DOJ case

www.justice.gov/opa/pr/electronic-health-records-vendor-pay-5725-million-settle-false-claims-act-allegations.