





Call: 512-481-8000

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**PRESS RELEASES** 





# Legal Assistance For Clinical Diagnostic And Reference Labs

Texas diagnostic testing and reference labs are currently under increased scrutiny as the federal government and commercial carriers crack down on health care fraud and abuse. Lab owners in Austin, San Antonio, Houston and the rest of the state are routinely being investigated and sometimes criminally charged for alleged fraud, abuse and other violations.

At Rivas Goldstein LLP, we help owners of independent clinical laboratories and physicianowned laboratories (POLs) to:

**Avoid investigations and charges** by making sure the business operations are compliant with federal and state regulations

Protect the rights of clinical lab owners during audits by the FBI, State Medicaid Fraud Control Units, Zone Program Integrity Contractors and Commercial Carriers

**Move forward** in a positive direction after facing health care fraud and abuse charges

As soon as you have reason to believe that your laboratory is being audited by a government agency, contact Rivas Goldstein LLP at 800-758-3278 or online. In order to best protect your rights, it is important that we get involved as soon as possible.

### **HEALTH CARE LAW OVERVIEW**



PHYSICIANS & GROUP PRACTICES



NURSE <u>LICENS</u>ING



DIAGNOSTIC TESTING & REFERENCE LABS



PHYSICIAN LICENSING



HOME HEALTH AGENCIES



BUYING AND SELLING HEALTH CARE COMPANIES



NURSING HOME STATE & REGULATORY ISSUES



OTHER
HEALTHCARE
PRACTITIONERS



AMBULANCE COMPANIES



HEALTH INTEGRITY/FBI/OI INVESTIGATIONS



STARK LAW /
ANTI-KICKBACK
STATUTES



NON-COMPETE AGREEMENTS



PEER REVIEW / CREDENTIALING



MEDICARE OVERPAYMENT APPEALS It is possible that your clinical lab is violating the law without your knowledge. For example, did you know that exclusive business relationships between a laboratory and a physician practice may violate the Anti-Kickback Statute?

After a 2015 advisory opinion by the Office of Inspector General for the Department of Health and Human Services (OIG), the regulations that labs must adhere to got a lot more burdensome. Make sure your business is prepared.

Did you know that paying marketers a percentage or commission for production could also be a violation of the state and federal Anti-Kickback Statute?

Unfortunately, not being aware that your business practices are in violation of the law is not an effective defense. The only way to protect yourself and your business is by taking proactive steps by working with a health care attorney who is well-versed in the compliance issues affecting clinical laboratories.



### Making Sure Your Rights Are Protected During An **Audit**

Being audited by a federal government agency, such as the FBI or the OIG, or an insurance company like Cigna or Horizon is one of the most stressful things the owner of a clinical diagnostic lab can go through. If you are being investigated for Medicare fraud or abuse, you need an attorney who understands the laws and can put your best defense forward.

Our firm represents Texas physicians and lab owners who are being investigated for alleged:

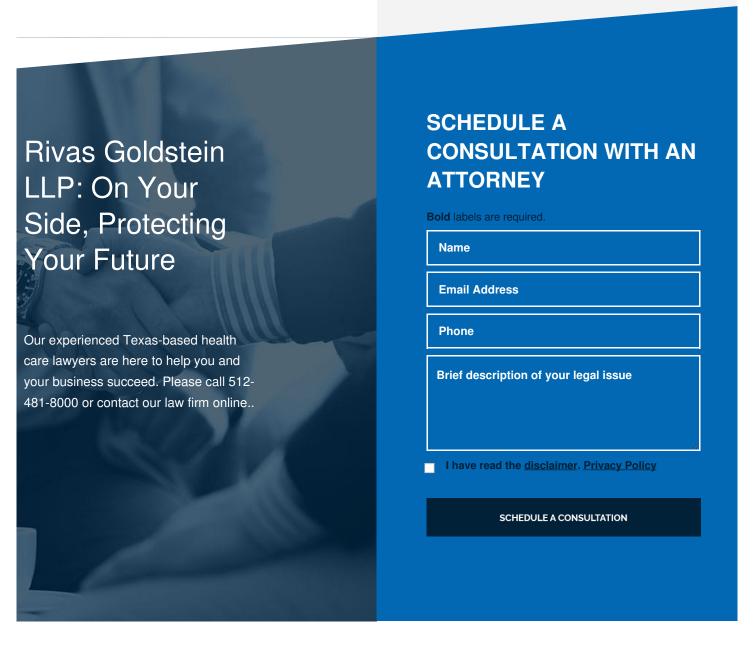
- Routine waiver of co-payments and deductibles
- Billing and coding issues
- Self-referral
- · Anti-kickback rule violations
- Fee-splitting
- Sham leases with physicians

If you or your lab is being audited by the FBI, a State Medicaid Fraud Control Unit, Medicaid's Zone Program Integrity Contractors or a Commercial Carrier SIU, we are here to help. We provide effective clinical laboratory compliance defense to businesses of all sizes and industry specialties.

## Getting Back On The Right Track With Compliance Counseling

The laws regulating Texas diagnostic and reference labs are robust and they are ever-changing, so it is no wonder that lab owners don't always understand what is expected of them and end up in trouble with the federal government. The good news is that with effective compliance counseling, it is possible for clinical labs and their owners to get back on the right track after being audited.

We have the experience and legal knowledge needed to assess your business' risks, create an effective plan to mitigate those risks, and educate all involved parties along the way so that there are no problems going forward. You have the ability to take control of the situation with the right advice and guidance. Call us today for more information on regaining control of your business.



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