

## S.C. Hospital Settles Medicare Fraud Claims for \$7M

[Greg Land](#), Daily Report

September 27, 2017 | [0 Comments](#)



John Horn, U.S. attorney, Northern District of Georgia, Atlanta Courtesy photo

A South Carolina hospital has reached a \$7 million [settlement](#) to discharge a False Claims Act lawsuit accusing it of defrauding Medicare by submitting phony bills for services including radiation oncology, clinic and emergency room services.

According to a release from the office of U.S. Attorney John Horn of Georgia's Northern District, whistleblower and former [AnMed Health](#) employee Lynda Jainnney will pocket \$1.2 million of the settlement. Under the False Claims Act, a private citizen can file suit on behalf of the government and get a share of any recovered funds.

According to Jainnney's lawyer, Moss & Gilmore partner Raymond Moss, his client also reached a separate settlement of a retaliation claim for \$850,000.

AnMed was accused of billing Medicare for radiation oncology services even when a qualified specialist was not available to assist and oversee the process, according to Horn's office. The settlement also resolves claims that AnMed regularly submitted bills from a minor care clinic as emergency services and billed emergency services provided by middle-level providers as if they were provided by physicians.

"This is another example of how the False Claims Act whistleblower provisions help protect the public's interest," said Horn in a statement included in the release. "It also reflects our ongoing commitment to safeguard our federal health care programs and the vital care that they provide."

"Our goal in pursuing Medicare fraud is not only to protect taxpayers, but also to ensure that Medicare beneficiaries receive the quality care they deserve," said an accompanying statement from Barbara Bowens, chief of civil litigation for the South Carolina U.S. Attorney's Office.

"Provider organizations seeking to increase profits at the expense of patients and taxpayers should expect such plans to be costly," said Special Agent Derrick Jackson of the Department of Health and Human Services' Office of Inspector General.

According to the [complaint](#) she filed in Georgia's Northern District in 2012, Jainniney served as radiation oncology manager for AnMed from 2005 until 2012.

"Upon her arrival at AnMed, [Jainniney] quickly began to observe many compliance deficiencies and attempted to notify Defendants to correct them," according to the lawsuit, complaining "repeatedly about the unlawful actions of the defendants and [telling] them that they were all incurring significant criminal and civil liability."

In response, Jainniney's performance reports suffered, and she was subjected to bullying, screaming and shouting from her superiors. She resigned in 2012 and took a 25 percent pay cut to accept a position with the Medical College of Georgia where she previously worked.

The complaint named a dozen defendants, including AnMed practitioners and the hospital's managing company, the Charlotte-Mecklenberg Hospital Authority.

The record was immediately sealed, and the only filings are a notice of unsealing and a settlement notice dated Sept. 26.

The release said the settlement was reached with assistant U.S. attorneys David O'Neal of the Northern District and Beth Warren of the South Carolina office.

"Critically ill cancer and emergency-room patients are among the most fragile and vulnerable patients, and they deserve to be compassionately treated and supervised at all times by qualified physicians in both office and hospital settings," said Moss.

"As a whistleblower, Ms. Jainniney looked to protect the health and safety of these critically ill patients and the hospital that she worked for and shined a light on important patient-safety and care issues," he said.

Jainniney was "ignored, strong-armed and finally threatened," he said. "As a result, she had to leave her job and her family had to move."

The Daily Report was unable to reach a spokesperson for AnMed Thursday.

A Department of Justice source said the precise amount of the settlement was \$7,073,521.