

Medical Directors At Risk Under Anti-Kickback Statute

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In *USA v. Eugene Goldman, M.D.*, the medical director of a Philadelphia-based hospice was recently sentenced to 51 months in a federal prison, ordered to pay \$300,000 in fines, and excluded from participating in Medicare and Medicaid for violating the federal Anti-Kickback Statute. The government proved that the medical director had entered into a written contract with the hospice center to create the false appearance that the payments he received from the hospice were for services he rendered in connection with his capacity as a medical director, when most of the money actually constituted illegal payments for the referral of Medicare/Medicaid patients to the facility. This recent conviction, and the stiff penalty imposed, highlight the perilous situation that medical directors face as the federal government seeks to crack down on perceived health care fraud.

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