

DOJ Remains “Laser-Focused” on Criminal Telemedicine Enforcement

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In a one-two punch during the first half of September 2019, the Department of Justice confirmed that its focus on prosecuting telemedicine companies and physicians engaged in health care fraud shows no sign of slowing down.

[On September 6](#), the owner and CEO of a telemedicine company pled guilty to a \$424 million conspiracy to defraud the United States and pay and receive health care kickbacks, in what the DOJ characterized as one of the largest health care fraud schemes ever investigated and prosecuted by the federal government.

[On September 12](#), less than a week later, a New Jersey physician pled guilty to a \$13 million health care fraud conspiracy, in which he admitted to working for telemedicine companies and writing medically unnecessary orders for durable medical equipment without evaluating or speaking to the beneficiaries. These pleas “show that the Department of Justice remains laser-focused on uprooting corporate health care fraud schemes,” said Assistant Attorney General Brian A. Benczkowski of the DOJ’s Criminal Division.

Telemedicine is an important health care tool, both for access to care and for specialty services. But, the potential for abuse through the telemedicine relationships and interactions, and the ever-shifting rules surrounding these relationships and interactions create a landmine of potential civil, criminal and compliance related issues.

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