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Recommended Citation
Table of Contents, 6 Annals Health L. (1997).
Available at: http://lawecommons.luc.edu/annals/vol6/iss1/1

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In 1996, billing integrity generated a great deal of debate and litigation in the health care arena. Significantly, the federal government views a violation of the Anti-Kickback Act as a basis for a False Claims Act action. While federal courts are split on the issue, the author strongly contends that using the False Claims Act to do what the Anti-Kickback Act was intended to do is inappropriate, given Congress' intention in enacting each legislation.
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Fraud and abuse issues abound in health care. A new, rather unique assertion is that submitting a bill for health care that is inadequate constitutes a violation of the Civil False Claims Act. The authors contend that there are more effective and appropriate ways to address poor quality of care, and that using the False Claims Act in this matter is like fitting a square peg in a round hole.

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