

The Office of the Inspector General (OIG), Department of Defense (DOD), announced today that on February 1, 2001, a Civil False Claims Act and administrative settlement was reached between the United States Attorney's Office (USAO), Western District of New York (WDNY) and the Genesee Valley Cardiothoracic Group (GVCG), Rochester, NY. The two million dollar settlement resolves allegations that GVCG submitted false claims to Medicare for the services of assistant attending surgeons.

Investigation disclosed that GVCG routinely submitted claims seeking reimbursement for both a primary surgeon and assistant attending surgeon for cardiothoracic surgeries. The claims were submitted despite the presence in the operating room of a qualified cardiothoracic resident to assist the primary attending surgeon. Medicare generally prohibits claims for assistant attending surgeons at teaching hospitals when qualified residents are present to assist the primary attending surgeon. This investigation was the result of a qui tam lawsuit filed by Dr. Richard Feins, who will receive a share of the recovery. The billing issues in this investigation are unrelated to the quality of care provided by GVCG to their patients.