

HOT TOPICS

FRAUD/ABUSE

Qui Tam Lawsuit Filed Against Medical Providers by Medical Society: The Florida Society of Anesthesiologists has filed a qui tam lawsuit against a group of physicians, anesthesiology companies, and ambulatory surgical centers claiming that they violated the federal and Florida False Claims Acts. The lawsuit alleges that the defendant ambulatory centers granted arrangements exclusively to several anesthesia companies owned by the defendant physicians in a kickback scheme. The US Attorney has decided not to get involved at this time, but the investigation remains ongoing. Visit http://www.lexology.com/library/detail.aspx?g=fd0de139-4b22-42f1-b8e5-dd193c7b2fe4&utm_source=lexology+daily+newsfeed&utm_medium=html+email+-+body+-+general+section&utm_campaign=lexology+subscriber+daily+feed&utm_content=lexology+daily+newsfeed+2016-04-01&utm_term for more information.

FL Builder and Nursing Home Chain Accused of Misconduct: The former CEO and the former chief nursing officer of a Florida nursing home have separately accused a builder and a nursing home chain cofounded by his family of engaging in misconduct to benefit themselves at the detriment of their residents. The first whistleblower complaint alleges in part, that the builder paid himself, his relatives, and some employees all while facilities were closing and necessary employees such as nurses were being fired. The second complaint alleges that the parties improperly diverted nursing home funds that resulted in a decrease in the quality of care in the facility. For more information, visit <http://www.floridabulldog.org/2016/04/12445/>

EMPLOYMENT

EEOC Announces Protocol for Proper Storage of Employee Medical Records: The EEOC announced in the case of Celine D. v. Brennan, Postmaster General that employee medical records held by employers are to be treated as confidential and must be kept separate from all other personnel files. The medical records may be accessed only by supervisors and managers and only for the reason of evaluating accommodations or work restrictions. For more information, visit http://www.lexology.com/library/detail.aspx?g=a0177f59-c464-4587-8c24-61e8aff469e7&utm_source=lexology+daily+newsfeed&utm_medium=html+email+-+body+-+general+section&utm_campaign=lexology+subscriber+daily+feed&utm_content=lexology+daily+newsfeed+2016-04-04&utm_term

\$187,500 Settlement Reached in ADA Lawsuit: A Michigan company is to pay \$187,500 after settling a lawsuit in which the EEOC alleged disability discrimination. The lawsuit stemmed from the firing of an employee shortly before he was to return from short-term disability leave that resulted from his procedures associated with his coronary artery disease, a violation of the Americans with Disabilities Act. Visit <https://www.eeoc.gov/eeoc/newsroom/release/4-14-16.cfm> for more information.

\$35,000 Settlement Reached in Sex Discrimination Lawsuit: An Alabama company is to pay \$35,000 after settling a lawsuit in which the EEOC alleged sex discrimination. The lawsuit was filed after the company allegedly refused to hire a qualified female applicant for a warehouse job

in favor of lesser qualified males, a violation of Title VII of the Civil Rights Act. For more information, visit <https://www.eeoc.gov/eeoc/newsroom/release/4-12-16.cfm>

OF INTEREST

MA House of Representatives Proposes Increase in SNF Employee Wages: The Massachusetts House of Representatives has released its budget plan, proposing that \$35.5 million go towards wages and benefits of SNF employees. An earlier budget plan released by the governor had proposed that money go toward SNFs, but it did not specifically earmark any for employees. For more information, visit http://www.mcknights.com/news/massachusetts-proposes-355-million-boost-for-snf-worker-pay-hires-19-new-facility-inspectors/article/489938/?DCMP=EMC-MCK_Daily&spMailingID=14233640&spUserID=MjQ0MjEyNTAxNzY3S0&spJobID=761060538&spReportId=NzYxMDYwNTM4S0