THE FALSE CLAIMS ACT & HEALTH CARE: 2018 RECOVERIES AND 2019 OUTLOOK

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In 2018, the False Claims Act ("FCA") continued to be one of the federal government's ("Government") preferred civil fraud enforcement tools across a variety of industries. The healthcare industry, however, remained the epicenter of FCA enforcement. Whistleblowers ("relators"), too, remained active in 2018, bringing an increased number of *qui tam* lawsuits against health care providers when compared with the previous year. Despite areas of uncertainty surrounding FCA actions in health care—from potentially shifting Department of Justice priorities and their impacts to the continued split amongst federal courts in their interpretation of *Universal Health Servs., Inc. v. U.S. ex rel. Escobar* and materiality—recent trends strongly suggest that health care-related FCA investigations, actions, and recoveries will remain robust in 2019.

This article analyzes FCA activity in 2018 by the numbers and considers how those numbers might shift in 2019.

To read the full alert, click here.

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