

Three Physicians Agree to Pay Total of \$700,000 to Settle Alleged False Claims Act Violations Arising from Improper Financial Relationship with Drug Testing Laboratory

PITTSBURGH – Dr. Robert Fetchero, D.O., of Jeannette, Pennsylvania, Dr. Sridhar Pinnamaneni, M.D., of Windermere, Florida, and Dr. Thelma Green-Mack, M.D., of Zionsville, Indiana, separately agreed to settle allegations that they each received improper payments for referrals from Greensburg, Pennsylvania drug testing lab Universal Oral Fluid Laboratories, and caused false claims to be submitted to Medicare for drug testing services, United States Attorney Scott W. Brady announced today. These settlements follow the earlier guilty plea on related charges of Dr. John H. Johnson of Hollidaysburg, Pennsylvania, who had served as UOFL's medical director.

The settlements announced today resolve allegations that the settling physicians referred Medicare patients to Universal Oral Fluid Laboratories ("UOFL") for drug testing services while engaged in a financial relationship with the lab. Specifically, UOFL paid the settling physicians to refer their patients to the lab for drug tests; UOFL then submitted claims to Medicare for the drug testing services from 2011 to 2014. UOFL was owned and operated by William Hughes. The United States alleged that the financial arrangement between the settling physicians and UOFL violated the physician self-referral law, commonly known as the "Stark Law," and the Anti-Kickback Statute, giving rise to liability under the False Claims Act. Pursuant to separately executed settlement agreements, Dr. Fetchero agreed to pay \$200,000; Dr. Pinnamaneni agreed to pay \$370,000; and Dr. Green-Mack agreed to pay \$130,000.

The Stark Law forbids physicians from making referrals for certain designated health services payable by Medicare to an entity with which he or she (or an immediate family member) has a financial relationship, unless an exception applies. The Anti-Kickback Statute prohibits offering, paying, soliciting, or receiving remuneration to induce referrals of services covered by federal health care programs, such as Medicare. Violations of the Stark Law or Anti-Kickback Statute may give rise to civil liability for treble damages and penalties under the False Claims Act.

"The integrity of the relationship between patients and their doctors is sacrosanct. A physician's medical judgment should never be compromised by improper financial incentives," said United States Attorney Scott W. Brady. "We will continue to hold healthcare providers accountable when they enter into financial arrangements that violate the law."

These matters were investigated by the Federal Bureau of Investigation, the Office of Inspector General of the United States Department of Health and Human Services, and the Internal Revenue Service Criminal Investigation Division. Assistant United States Attorneys Rachael L. Mamula and Paul E. Skirtich handled the investigations that led to the settlements on behalf of the United States.

The claims resolved by the settlements are allegations only, and there has been no determination of liability.