



# Department of Justice

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## **THE HEART CENTER OF EAST ALABAMA AGREES TO PAY UNITED STATES \$231,000 TO RESOLVE FALSE CLAIM ACT ALLEGATIONS**

**MONTGOMERY, ALABAMA**— The Heart Center of East Alabama has agreed to pay the United States \$231,000 to settle allegations in a federal *qui tam* lawsuit that it violated the False Claims Act, U.S. Attorney Leura G. Canary announced today. The settlement resolves allegations in the federal lawsuit that The Heart Center of East Alabama performed cardiac stress tests on patients at its facilities in Wedowee and Opelika, between January 1, 2003, and December 31, 2006, and falsely represented to the government that the tests had been under the direct supervision of a physician as required by Medicare regulations.

“The Medicare direct supervision requirement for cardiac stress tests exists to ensure that Medicare beneficiaries have immediate access to a physician throughout the test. Physicians who fail to comply with this requirement should be held accountable” stated Carl Bocchicchio, Assistant Special Agent in Charge, U.S. Department of Health and Human Services, Office of Inspector General, Office of Investigations.

“This settlement demonstrates that the Department of Justice will not tolerate fraud and abuse of government programs. It also illustrates the important role that private citizens may have in bringing fraud to the attention of the government through the *qui tam* provisions of the False Claims Act” stated U.S. Attorney Leura G. Canary.

This case was initially filed in the United States District Court for the Middle District of Alabama by Carl Brackett and Dana Martin, former employees of The Heart Center of East Alabama, under the *qui tam*, or whistle blower, provisions of the False Claims Act. Pursuant to these provisions, a private party can file an action on behalf of the United States and receive a percentage of any money subsequently recovered by the government in the case. Mr. Brackett and Ms. Martin will receive a share of the settlement.

This case was handled by Assistant United States Attorney James J. DuBois from the United States Attorneys Office for the Middle District of Alabama, Michael J. Friedman from the Civil Division of the United States Department of Justice, and Special Agent Malinda Metheny of the United States Department of Health and Human Services, Office of Inspector General.