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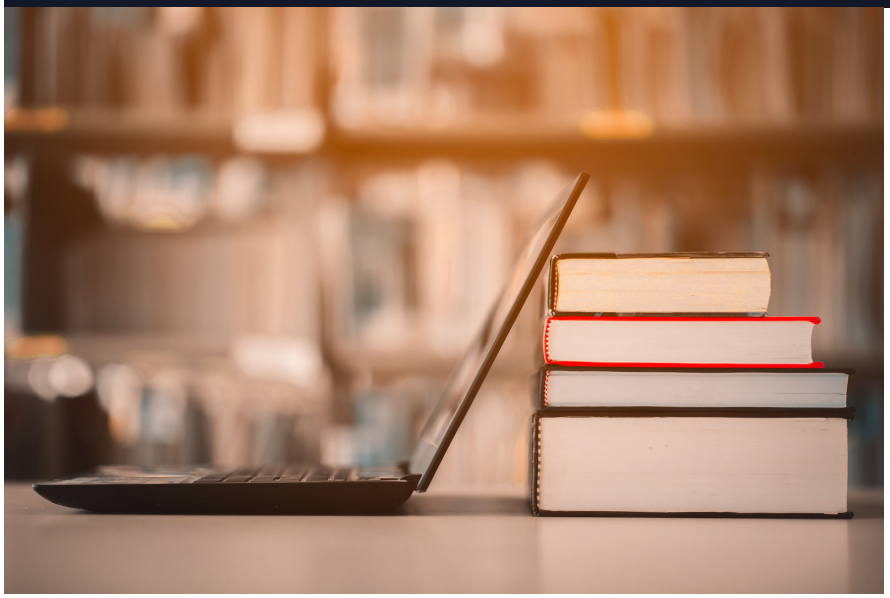

ARTICLES

United States Defends Falsity Theory, Use Of Debatable Sub-Regulatory Guidance In Medicare Advantage False Claims Act Suit Against Kaiser Permanente

September 20, 2022 | Washington, D.C.

John Kelly, Jackie Papish and A.J. Bolan co-authored an article for the American Health Law Association newsletter, "United States Defends Falsity Theory, Use of Debatable Sub-Regulatory Guidance in Medicare Advantage False Claims Act Suit Against Kaiser Permanente," on Sept. 16. The article discussed how this case involving Medicare risk-adjustment practices is teeing up a possible showdown regarding what constitutes sub-regulatory guidance and when sub-regulatory guidance can support a legal falsity claim.

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