

## **Physician Self-Referral Law (42 U.S.C. § 1395nn):**

### **Commonly Used Physician Self-Referral Law Exceptions\***

#### *General Exceptions Related to Ownership/Investment and Compensation Arrangements (411.355)*

- Physician Services
- In-Office Ancillary Services
- Services Furnished by an Organization to Enrollees
- Academic Medical Centers
- Implants Furnished by an ASC
- EPO and Other Dialysis-Related Drugs
- Preventive Screening Tests, Immunizations, and Vaccines
- Eyeglasses and Contact Lenses Following Cataract Surgery
- Intra-Family Rural Referrals

#### *Exceptions Related to Ownership or Investment Interests (411.356)*

- Publicly-Traded Securities
- Mutual Funds
- Specific Providers (Rural Providers, Hospitals in Puerto Rico, “Whole” Hospitals)

#### *Exceptions Related to Compensation Arrangements (411.357)*

- Rental of Office Space
- Rental of Equipment
- Bona Fide Employment Relationships
- Personal Services Arrangements
- Physician Recruitment
- Isolated Transactions
- Certain Arrangements with Hospitals (remuneration unrelated to DHS)
- Group Practice Arrangements with Hospitals
- Payments by a Physician



- Charitable Donations by a Physician
- Nonmonetary Compensation
- Fair Market Value Compensation
- Medical Staff Incidental Benefits
- Risk-Sharing Arrangements
- Compliance Training
- Indirect Compensation
- Referral Services
- Obstetrical Malpractice Insurance Subsidies
- Professional Courtesy
- Retention Payments in Underserved Areas
- Community-wide Health Information Systems
- Electronic Prescribing Items and Services
- Electronic Health Records Items and Services

***Designated Health Services (“DHS”):***

- (1) Clinical laboratory services.
- (2) Physical therapy services.
- (3) Occupational therapy services.
- (4) Outpatient speech-language pathology services.
- (5) Radiology and certain other imaging services.
- (6) Radiation therapy services and supplies.
- (7) Durable medical equipment and supplies.
- (8) Parenteral and enteral nutrients, equipment, and supplies.
- (9) Prosthetics, orthotics, and prosthetic devices and supplies.
- (10) Home health services.
- (11) Outpatient prescription drugs.
- (12) Inpatient and outpatient hospital services.

