



## Office of Inspector General News

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Office of Inspector General  
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### **OIG Enters Into \$7.3 Million Civil Monetary Penalty Settlement With Physician-Owned Enterprise**

**Washington, DC** – The Office of Inspector General (OIG) for the Department of Health and Human Services today entered into a Civil Monetary Penalty (CMP) settlement agreement with United Shockwave Services, United Prostate Centers, and United Urology Centers (collectively, United), all based in the Chicago, Illinois area. The agreement settles charges that, by soliciting and receiving payments from hospitals in exchange for patient referrals, United violated Federal anti-kickback laws.

Specifically, OIG alleged that United, and certain of its physician-owners, leveraged patient referrals to obtain contract business from hospitals in Illinois, Indiana, and Iowa. OIG also alleged that United caused certain hospitals to submit claims for designated health services that resulted from prohibited referrals in violation of the Physician Self-Referral Law (Stark law).

United provides hospitals with lithotripsy and laser services and equipment. Lithotripsy uses high-energy shockwave therapy to crush kidney stones, and the high-powered laser services are used to treat men with enlarged prostates.

“This settlement sends a strong message that companies, including those with physician-owners, cannot use Federal health care beneficiary referrals to line their pockets by securing business from hospitals or other providers,” said Daniel R. Levinson, Inspector General of the U.S. Department of Health and Human Services. “We continue to have serious kickback concerns when companies link investment opportunities to the ability to generate business and offer returns on investment that are disproportionate to business risk.”

United entered into a 5-year Corporate Integrity Agreement (CIA) in conjunction with the \$7.3 million settlement. Under the CIA, United is required to hire an Independent Review Organization. The independent reviewer will monitor lithotripsy and laser arrangements between United and any hospital in Illinois, Iowa, and Indiana that receives referrals from United or its physician investors. United is also required to create a comprehensive training program to educate its employees and corporate members on Stark law and kickback issues.

In resolving this matter through a settlement agreement, United has denied any liability.

This settlement resulted from an investigation conducted by OIG attorneys Brian Bewley, Kevin Barry, Tamara Forys, and OIG Special Agent Raul Sese.

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**[NOTE TO EDITORS/REPORTERS:** You may request a copy of the settlement agreement through the OIG Freedom of Information Act Office at:

<http://www.oig.hhs.gov/foia/submit.asp>]

To see the Corporate Integrity Agreement:

[http://oig.hhs.gov/fraud/cia/agreements/united\\_shockwave\\_07082010.pdf](http://oig.hhs.gov/fraud/cia/agreements/united_shockwave_07082010.pdf)