

False Claims Act Year in Review 2015

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The False Claims Act ("FCA") continued to be a significant focus of government and whistleblower activity in 2015. This 2015 Year in Review highlights several key developments, including:

- The number of new FCA lawsuits filed by whistleblowers declined slightly since last year, but remains very high – exceeding 600 cases filed in 2015 alone
- The U.S. Department of Justice is continuing its strong enforcement of the FCA, including recovering more than \$3.5 billion in settlements and judgments in FCA cases in 2015 and announcing a renewed focus on individual culpability
- The U.S. Supreme Court resolved a key question about the first-to-file rule, and has agreed to clarify the so-called "implied certification" theory of liability
- Lower courts continue interpreting the pleading requirements for FCA claims, analyzing the public disclosure bar, and addressing relators' rights and obligations, among other issues

In 2015, Haynes Boone represented healthcare providers, defense contractors, and individuals in FCA investigations and lawsuits. We successfully resolved matters before lawsuits were filed, negotiated favorable settlements, and continued to defend our clients in active litigation. We also advised a number of contractors and healthcare providers regarding FCA compliance and other related issues.

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If you have any questions, please contact one of the attorneys listed below.