

Bill Morrison, Neil Issar in *PLI Chronicle*: 'Trends in Telehealth Fraud Enforcement During the COVID-19 Pandemic'

February 9, 2021 Bill Morrison, Neil Issar

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The need for physical distancing during the COVID-19 pandemic brought telehealth to the forefront almost overnight. The Health Resources and Services Administration of the Department of Health and Human Services (HHS) defines telehealth as the use of electronic information and telecommunications technologies to support and promote long-distance clinical health care, patient and professional health-related education, and public health and health administration. Telehealth technologies can include texting, telephone, the internet, videoconferencing, streaming media, and store-and-forward communication.

The pandemic spurred legislative and regulatory changes to reduce barriers to telehealth access and fund increased reimbursement of telehealth services. But increased adoption and more reimbursement opportunities also mean more potential for fraud, including violations of the False Claims Act (FCA), 31 U.S.C. §§ 3729 et seq., and the Anti-Kickback Statute (AKS), 42 U.S.C. § 1320a-7b. Accordingly, the Department of Justice (DOJ) has made telehealth fraud an enforcement priority during the pandemic. This article provides an overview of telehealth initiatives implemented as a response to the pandemic and the corresponding trends in government enforcement of telehealth fraud.

Excerpted from the February 2021 edition of *PLI Chronicle*. To read the full article, click [here](#).