

## The False Claims Act Year in Review 2018

---

January 11, 2019 Stacy Brainin, Bill Morrison, Andrew Guthrie, Neil Issar, Jennifer Kreick, Taryn McDonald

---

**PRACTICES** Healthcare Transactions and Regulatory, False Claims Act and Qui Tam Defense, Medical Device and Technology, Healthcare and Life Sciences, Litigation

---

The False Claims Act, 31 U.S.C. §§ 3729 et seq. (FCA), continued to be a significant focus of government and whistleblower activity in 2018. This Year in Review highlights several key developments, including:

The recovery by the government of more than \$2.8 billion in settlements and judgments in FCA cases in 2018.

The aftermath of the Supreme Court's landmark decision in *Escobar* and the varying interpretations of "materiality" under the FCA.

Significant judicial decisions regarding the first-to-file rule, the public disclosure bar, and pleading requirements for FCA cases, among other issues.

In 2018, 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.

If you have any questions about the issues covered in this year's Review, please let us know. We look forward to working with our friends and clients in 2019.

[View the 2018 False Claims Act Year In Review.](#)