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Friday, May 22, 2009

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7-Day forecast
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Medicare provider pays \$283,000 to settle Medicare fraud case

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Omnicare, Inc., paid \$283,000 to settle Medicaid fraud charges by the State of Delaware. Delaware alleged that the pharmacy had committed Medicaid fraud by illegally switching the drugs of senior citizens in nursing homes and other facilities.

Omnicare's conduct had originally been reported by a Chicago pharmacist whistleblower, who was fired by Omnicare after reporting the switching. The United States and 43 other states had settled similar Medicaid fraud allegations with Omnicare in November of 2006.

"This is an unusual achievement by Delaware Attorney General Beau Biden's Office," said the pharmacist's lawyer, Michael I. Behn, of Behn & Wyetzner, Chicago, Illinois. "Deputy Attorney General Daniel Miller tenaciously pursued this case, even after the nationwide settlement, to ensure that Delaware taxpayers got back every nickel." Deputy Attorney

General Miller is Director of Delaware's Medicaid Fraud Control Unit, which polices Delaware's Medicaid system. Miller also serves as President of the National Association of Medicaid Fraud Control Units, the organization uniting all state Medicaid fraud prosecutors and investigators.

Delaware charged Omnicare with switching tablets and capsules to

garner huge profits by evading federal and state price limits. Ranitidine, the generic form of the antacid Zantac®, typically came in tablets. Given its popularity, the government set maximum prices that Medicaid would pay for the tablets. Ranitidine capsules were infrequently prescribed, and had no maximum prices. Allegedly, Omnicare switched patients' prescriptions for ranitidine tablets to the expensive capsules -- costing taxpayers up to 400% more. For Prozac, Omnicare allegedly switched prescribed capsules to tablets, also to reap profits at taxpayer expense.

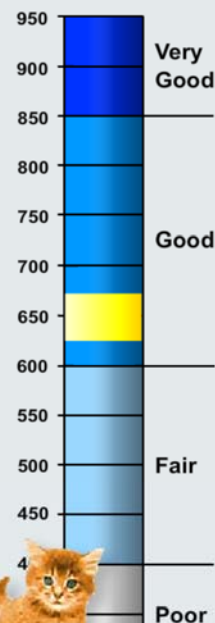
"The Delaware Attorney General's Office and Dan Miller in particular have been at the forefront of national Medicaid fraud prosecutions," said Behn. "This remarkable Omnicare settlement highlights the kind of work Dan and Attorney General Biden's office are doing every day for Delaware taxpayers."

In executing the Settlement Agreement, Omnicare denied liability, wrongdoing or improper conduct.

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