



"Tennessee Physician Pays \$200K for Role in Kickback Scheme"

Richard Blake for Bloomberg Law

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A Tennessee osteopath has agreed to pay nearly \$200,000 to settle charges that she accepted illegal kickbacks for lab test referrals.

Federal prosecutors allege that Brenna Green, a physician from Murfreesboro, Tenn., participated with two laboratories, medical sales representatives, and other physicians in a scheme that resulted in fraudulent claims being submitted to Medicare.

According to the out-of-court settlement announced April 26, Dallas-based Southwest Laboratories LLC and sales representatives associated with that company engaged Green and other physicians in a sham "investment model" through which Green was paid a "dividend" of about \$5,000 per month if she met certain urine drug screen referral levels. Green received some \$100,000 in such kickbacks, prosecutors said.

The U.S. attorney for the Northern District of West Virginia, the federal prosecutor's office that litigated the matter, also alleged that North Dakota-based Medscan Laboratory Inc. was a co-conspirator in the scheme as Southwest processed urine drug screens from patients with private health insurance and referred those from Medicare enrollees to Medscan for processing.

Seeking Clarification

"This is the first we have heard of Dr. Green," Richard H. Blake, an attorney with McDonald Hopkins LLC in Cleveland who represents Medscan, told Bloomberg Law April 27. Blake said he had contacted the U.S. attorney's office for clarification on the issue and was awaiting a response.

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