

Anti-Kickback Statute (AKS)

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Michigan

Anti-Kickback Statute (AKS), 42 U.S.C. § 1320a-7b(b)

As a medical provider, you are a target for kickback schemes, because you can be a source of referrals for your fellow providers. According to the United States Department of Health and Human Services, Office of Inspector General (OIG), “Many people and companies want your patients' business and would pay you to send that business their way. Just as it is illegal for you to take money from providers and suppliers in return for the referral of your Medicare and Medicaid patients, it is illegal for you to pay others to refer their Medicare and Medicaid patients to you.”

Criminal penalties and administrative sanctions for violating the AKS include fines, jail terms, and exclusion from participation in the Federal health care programs. Physicians who pay or accept kickbacks also face penalties of up to \$50,000 per kickback plus three times the amount of the remuneration.

For more information, please visit the OIG website: <https://oig.hhs.gov/compliance/physician-education/fraud-abuse-laws/>