

# Brown, LLC a Leading Whistleblower Law Firm Obtains a \$32.5 Million False Claims Act Settlement

UNITED STATES, October 19, 2023

/EINPresswire.com/ -- [Brown, LLC](#), a leading [whistleblower](#) law firm, announced another [False Claims Act](#) settlement, that involved a case concerning alleged Medicare fraud unbundling. The case was against Genomic Health, Inc. (GHI), a subsidiary of Exact Sciences Corporation, that denies all the allegations, and, under the terms of the resolution, the whistleblowers received in excess of \$5 million. The case involved the 14-day rule, in which laboratory tests performed within 14 days of a hospital stay are supposed to be paid through a bundled payment. However, the laboratory allegedly structured the testing to go beyond the 14 days without any medical necessity, so the provider could receive additional reimbursements from Medicare. This case is believed to be groundbreaking as the first in the country to invoke the 14-day rule in the context of the False Claims Act, albeit not the first to settle, as qui tams under seal take time.



Jason T. Brown, Esquire, Chair of Brown, LLC - Nationally Acclaimed Whistleblower Law Firm

Former FBI Special Agent Jason T. Brown, the head of whistleblower law firm Brown, LLC, served as one of the whistleblower attorneys in this pivotal case, remarked, that "Thanks to the courage of an industrious individual, an alleged scheme to defraud Medicare was unearthed, addressed and fixed, and another one of our whistleblower clients was rewarded for presenting his information to the government in the right way. People awaiting the results of cancer testing should not have to await an additional two weeks for the results just for additional profits of the health care practitioner."

In accordance with the terms of the False Claims Act settlement, GHI has agreed to pay a sum of

\$32.5 million to compensate for losses stemming from the submission of alleged false claims to the Medicare Program. The allegations against GHI, involved the alleged collusion with hospitals and physicians to manipulate the cancellation and reordering of tests within the 14-day timeframe to receive additional reimbursement and are disputed by GHI.

This civil settlement simultaneously addresses two actions brought forward under the qui tam or whistleblower provisions of the False Claims Act against GHI. The relator's share of the federal settlement was determined to be \$5,687,500. The qui tam cases are filed under the titles "United States ex rel. Doe v. Genomic Health, Inc., Civil Action No. 16-CV-4038 (E.D.N.Y)" and "United States ex rel. Doe v. Genomic Health, Inc., et al., Civil Action No. 17-CV-4460 (E.D.N.Y)."

It is crucial to underline that the claims resolved by this settlement remain in the realm of allegations only, and there has been no definitive determination of liability. Billions of dollars each year are recovered through the False Claims Act, and it's critical to file the matter in a timely manner. In these two cases, Doe 1 is not related to Doe 2, and technically, under the statute, only the first to file is entitled to a recovery. This case is a reminder that putting profits before people, and allegedly gaming the healthcare system could have costly consequences.

#### About Brown, LLC

Brown, LLC is a legal powerhouse with an impressive track record, having secured settlements and judgments cumulatively in the hundreds of millions of dollars. Led by Jason T. Brown, a former FBI Legal Advisor and Special Agent, the firm excels in complex litigation, including whistleblower cases, class actions, commercial disputes, and wage and hour rights. Lex Machina rated Brown, LLC as the second most prolific firm in the False Claims Act litigation sector.

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