

# Health Headlines

January 17, 2012

## Denver Health Medical Center Settles FCA Short Stay Suit for \$6.3 Million

Denver Health and Hospital Authority, d/b/a Denver Health Medical Center (DHMC), has agreed to pay \$6.3 million to settle a False Claims Act suit alleging that, between 2006 and 2009, it “submitted false claims to Medicare and Medicaid by improperly submitting claims for short hospital stays as though they were ‘inpatient’ stays when they should have been billed as less expensive ‘outpatient’ or ‘observation’ stays.” The case was initiated by a *qui tam* “whistleblower,” Joanne Curren, who will receive \$817,959 of the settlement proceeds. The remaining settlement proceeds are to be allocated between the State of Colorado and the federal government.

The settlement agreement, which is available here, specifically states that it is neither an admission of liability on the part of DHMC nor a concession by the United States that its claims are not well founded. In a statement on its website, DHMC noted that “Observation/Short Stay guidance is controversial and subject to questions of medical judgment.” In addition, the hospital noted that it “cooperated fully with the government investigation” and that the government did not “require a Corporate Integrity Agreement or seek any other punitive measure in recognition of DHMC’s positive response.” The case was captioned *United States ex rel. Curren v. Denver Health et al.*, 09-cv-01752-RBJ-KMT (D. Colo.).

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