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Sixteenth Settlement Under Stark Self-Referral Disclosure Protocol

By John Garver, III, and Jennifer Hutchens*

On December 27, 2012, the Centers for Medicare & Medicaid Services (CMS) announced its sixteenth settlement under the Voluntary Self-Referral Disclosure Protocol (SRDP). This settlement involved violations of the federal physician self-referral statute (Stark Law) by an acute care hospital in California (Hospital). The Hospital disclosed under the SRDP that it may have violated the Stark Law by failing to satisfy the requirements of the personal service arrangements exception for an on-call gastroenterology coverage arrangement with one physician. All violations disclosed were settled for \$1,600. On its [website](#), CMS provides a list of "select" self-disclosures resolved under the SRDP, including this settlement.

**We would like to thank John B. Garver, III, Esquire, and Jennifer C. Hutchens, Esquire (Robinson Bradshaw & Hinson PA, Charlotte, NC), for providing this email alert.*

Member benefit educational opportunity:

Be sure to [register](#) for the joint mid-year luncheon, entitled "High Reliability Healthcare--The Science of Safety" (February 12), at the [Hospitals and Health Systems Law Institute](#) (February 12-13, Phoenix, AZ).

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