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Date: August 30, 2012

**Thirteenth Settlement Under Stark  
Self-Referral Disclosure Protocol**

By John Garver, III, and Jennifer Hutchens\*

On August 22, the Centers for Medicare & Medicaid Services (CMS) announced its thirteenth settlement under the Voluntary Self-Referral Disclosure Protocol (SRDP). This settlement involved violations of the federal physician self-referral statute (commonly known as the Stark Law) by a Missouri hospital (Hospital). The Hospital disclosed under the SRDP that its arrangements with two physicians for the provision of dental services to certain patients may have violated the Stark Law, because those arrangements did not satisfy the requirements of the personal services exception under the Stark Law. The Hospital's violations were settled for \$125,000. 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.*

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Member benefit educational opportunity:

Participate in the [webinar](#) on physician-owned distributors and device companies: to be or not to be? (September 18).

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