

CASE STUDIES

Baker Donelson Obtains Motion for Summary Judgment for Hospital Client

Health Care False Claims Act

Client industry: Health Care

Type of case: Health Care False Claims Act

Court: U.S. District Court for Middle District of Florida

Amount in dispute: Estimated \$50-100 Million

Result: Motion for Summary Judgment granted on behalf of defendant

Baker Donelson represented a large hospital chain in Florida that faced a wide-ranging list of allegations that it was providing improper inducements for referrals. The allegations pointed to several types of business and real estate arrangements that the hospital system, who owned or controlled certain medical office buildings, offered tenants benefits like parking spaces, tax-free status, and below market rent to incentivize referrals to the hospital.

The relator's theory was that such remuneration would violate the Anti-Kickback Statute. The government did not intervene in the case, and the relator elected to proceed to discovery and trial on his own. The case involved numerous experts and included an attempted challenge by the relator to the state determination that a facility was a non-profit organization under state law.

Prior to trial, the defense filed a motion for summary judgment. This motion was referred for initial opinion to a magistrate judge, who granted the motion, and the U.S. District Court judge adopted the opinion. Prior to the motion being granted, the parties had prepared for trial, and motions in limine and other trial documents were prepared and filed. The motion was ultimately granted weeks before trial was set to begin.