

Hall, Render, Killian, Heath & Lyman is a full service health law firm with offices in Indiana, Kentucky, Michigan and Wisconsin. Since the firm was founded by William S. Hall in 1967, Hall Render has focused its practice primarily in the area of health law and is now recognized as one of the nation's preeminent health law firms serving clients in multiple states. For more information about the firm please visit us at www.hallrender.com.

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HHS Budget Proposal Includes Funding Increase, Targets Fraud Prevention

On May 7, 2009, President Obama released details of his budget proposal for the Department of Health and Human Services ("HHS") for Fiscal Year ("FY") 2010. This detailed proposal tracks many of the priorities outlined in the President's initial budget released in February of this year.

The \$879 billion dollar budget represents an increase in spending of approximately \$63 billion over FY 2009 levels and includes several initiatives aimed at reforming the current health care delivery system. Priorities include establishing a multi-billion dollar health care reserve fund for financing future reforms, increasing access to care in rural and underserved areas, and investing in programs to support the nation's health care professionals.

Additionally, the President's proposal also includes a significant amount of funding to fight fraud and abuse within federal health care programs. Specifically, the budget calls for an additional funding boost of \$1.72 billion dollars to be invested over the next several years in program integrity initiatives like the Health Care Fraud and Abuse Control Program. In her remarks last week, newly confirmed HHS Secretary Sebelius noted that each dollar spent fighting fraud within these programs is expected to provide the federal government with significant savings, identified as approximately \$2.7 billion over the next five years.

A press release from HHS containing additional information about these and other initiatives can be found at the following link:

<http://www.hhs.gov/news/press/2009pres/05/20090507b.html>.

Given the above budget increases, it is now more likely than ever that providers may find themselves the target of a compliance investigation, even if they never have been before. As a result, we recommend providers review the effectiveness of existing compliance programs, including your protocols for responding to governmental inquiries, as a preventive measure to proactively prevent any potential problems.

If you have any questions about this bulletin, please contact your regular Hall Render Attorney or Scott W. Taebel, Katherine A. Kuchan or Christina W. Severin via email at staebel@hallrender.com, kkuchan@hallrender.com and cseverin@hallrender.com or by telephone at 414/721-0442 at Hall, Render, Killian, Heath & Lyman, PC.

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