



Stark Law Blanket Waivers

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Amidst the multitude of regulatory and policy changes from federal and state governments intended to help Americans navigate the COVID-19 pandemic are the Stark Law Blanket Waivers issued by the Centers for Medicare & Medicaid Services (CMS). The Secretary of Health and Human Services (HHS) and the OIG will not impose certain sanctions during the COVID-19 pandemic, retroactive to March 1, 2020 and concluding at the end of the national pandemic. The Blanket Waivers apply to financial relationships with providers only, and referrals that are related to the COVID-19 national emergency.

How Carnahan Group can help

Carnahan Group recommends conducting due diligence when entering any financial relationship with a healthcare provider. The blanket waivers offer additional safe harbors within physician arrangements and Stark Law but also carry further scrutiny to ensure these relationships have a direct COVID-19 business purpose.

Carnahan Group's team of compliance minded professionals have assisted their clients in navigating the blanket waivers, in addition to offering automated service lines such as the FMV Estimator and the FMV-MD platform to assess the compliance risk and fair market value range of physician financial relationships.

If you would like more information or have questions regarding regulatory compliance, physician contracting, or fair market value please reach out to our team!

Sources:

<https://www.cms.gov/files/document/covid-19-blanket-waivers-section-1877g.pdf>

<https://www.natlawreview.com/article/cms-issues-blanket-waivers-physician-self-referral-stark-law-penalties-to-support>

<https://www.natlawreview.com/article/cms-issues-explanatory-guidance-blanket-physician-self-referral-stark-law-waivers>