

MRI Kickback Settlement

MIDI, LLC, operator of 14MRI centers in the Chicago area, has settled a lawsuit, alleging illegal kickbacks to physicians, for \$1.2 million dollars. Six other MRI centers named in the same lawsuit have already settled. The civil lawsuit, filed in 2007 by a competing MRI clinic, claimed that the MIDI affiliated MRI centers violated the Illinois consumer Fraud and Deceptive Business Practices Act, as well as state anti-kickback laws. Under Illinois' whistle blower law, the competing MRI clinic will receive an undisclosed percentage of the settlement.¹

The whistleblower suit claimed that the MRI centers created sham lease agreements with physicians under which the doctors charged a lower rate for MRI scans while charging the insurance companies a much higher rate, and pocketing the difference.²

While MIDI, LLC reached a settlement of \$1.2 million, the company admits no wrongdoing and indicated that the settlement was reached to avoid the costs of a lengthy investigation and ongoing litigation.³ The settlement requires MIDI to cease their current "kickback" practices, as well as pay a fine for \$1.2 million that will cover money damages, restitution, and penalties.⁴ The Ste of Illinois will receive approximately \$840,000, which will be used to provide grants to increase healthcare access to low-income residents in Illinois.⁵

Attorney General Lisa Madigan stated that the lawsuit, which has been watched closely by professionals in the

radiology field, "*Sends a strong message that medical professionals cannot engage in schemes to line their pockets, at the expense of providing the best patient care.*" Madigan also stated that, following this lawsuit, patients should feel confident that when they are sent to receive an MRI scan it is because it is medically necessary.⁶

¹ "MRI Centers to Settle Illegal Kickback Case," By Bruce Japsen, Chicago Tribune, January 14, 2009, <http://www.chicagotribune.com/business/chi-biz-mri-kickbacks-jan14,0,1026976.story> (Accessed 1/14/09)

² "Attorney General Madigan Settles MRI Kickback Case for \$1.2 million," Illinois State Attorney General, Press Release, January 14, 2009, http://www.ag.state.il.us/pressroom/2009_01/20090114.html

³ "MRI Centers to Settle Illegal Kickback Case," By Bruce Japsen, Chicago Tribune, January 14, 2009, <http://www.chicagotribune.com/business/chi-biz-mri-kickbacks-jan14,0,1026976.story> (Accessed 1/14/09)

⁴ "Attorney General Madigan Settles MRI Kickback Case for \$1.2 million," Illinois State Attorney General, Press Release, January 14, 2009, http://www.ag.state.il.us/pressroom/2009_01/20090114.html

⁵ "Attorney General Madigan Settles MRI Kickback Case for \$1.2 million," Illinois State Attorney General, Press Release, January 14, 2009, http://www.ag.state.il.us/pressroom/2009_01/20090114.html; "MRI Centers to Settle Illegal Kickback Case," By Bruce Japsen, Chicago Tribune, January 14, 2009, <http://www.chicagotribune.com/business/chi-biz-mri-kickbacks-jan14,0,1026976.story> (Accessed 1/14/09)

⁶ "Attorney General Madigan Settles MRI Kickback Case for \$1.2 million," Illinois State Attorney General, Press Release, January 14, 2009, http://www.ag.state.il.us/pressroom/2009_01/20090114.html; "MRI Centers to Settle Illegal Kickback Case," By Bruce Japsen, Chicago Tribune, January 14, 2009, <http://www.chicagotribune.com/business/chi-biz-mri-kickbacks-jan14,0,1026976.story> (Accessed 1/14/09)



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Robert James Cimasi, MHA, ASA, FRICS, MCBA, AVA, CM&AA, serves as President of **HEALTH CAPITAL CONSULTANTS (HCC)**, a nationally recognized healthcare financial and economic consulting firm headquartered in St. Louis, MO, serving clients in 49 states since 1993. Mr. Cimasi has over thirty years of experience in serving clients, with a professional focus on the financial and economic aspects of healthcare service sector entities including: valuation consulting and capital formation services; healthcare industry transactions including joint ventures, mergers, acquisitions, and divestitures; litigation support & expert testimony; and, certificate-of-need and other regulatory and policy planning consulting.

Mr. Cimasi holds a Masters in Health Administration from the University of Maryland, as well as several professional designations: Accredited Senior Appraiser (ASA – American Society of Appraisers); Fellow Royal Intuition of Chartered Surveyors (FRICS – Royal Institute of Chartered Surveyors); Master Certified Business Appraiser (MCBA – Institute of Business Appraisers); Accredited Valuation Analyst (AVA – National Association of Certified Valuators and Analysts); and, Certified Merger & Acquisition Advisor (CM&AA – Alliance of Merger & Acquisition Advisors). He has served as an expert witness on cases in numerous courts, and has provided testimony before federal and state legislative committees. He is a nationally known speaker on healthcare industry topics, the author of several books, the latest of which include: *“The U.S. Healthcare Certificate of Need Sourcebook”* [2005 - Beard Books], *“An Exciting Insight into the Healthcare Industry and Medical Practice Valuation”* [2002 – AICPA], and *“A Guide to Consulting Services for Emerging Healthcare Organizations”* [1999 John Wiley and Sons].

Mr. Cimasi is the author of numerous additional chapters in anthologies; books, and legal treatises; published articles in peer reviewed and industry trade journals; research papers and case studies; and, is often quoted by healthcare industry press. In 2006, Mr. Cimasi was honored with the prestigious *“Shannon Pratt Award in Business Valuation”* conferred by the Institute of Business Appraisers. Mr. Cimasi serves on the Editorial Board of the Business Appraisals Practice of the Institute of Business Appraisers, of which he is a member of the College of Fellows.



Todd A. Zigrang, MBA, MHA, ASA, FACHE, is the Senior Vice President of **HEALTH CAPITAL CONSULTANTS (HCC)**, where he focuses on the areas valuation and financial analysis for hospitals and other healthcare enterprises. Mr. Zigrang has significant physician integration and financial analysis experience, and has participated in the development of a physician-owned multi-specialty MSO and networks involving a wide range of specialties; physician-owned hospitals, as well as several limited liability companies for the purpose of acquiring acute care and specialty hospitals, ASCs and other ancillary facilities; participated in the evaluation and negotiation of managed care contracts, performed and assisted in the valuation of various healthcare entities and related litigation support engagements; created pro-forma financials; written business plans; conducted a range of industry research; completed due diligence practice analysis; overseen the selection process for vendors, contractors, and architects; and, worked on the arrangement of financing.

Mr. Zigrang holds a Master of Science in Health Administration and a Masters in Business Administration from the University of Missouri at Columbia, and is a Fellow of the American College of Healthcare Executives. He has co-authored *“Research and Financial Benchmarking in the Healthcare Industry”* (STP Financial Management) and *“Healthcare Industry Research and its Application in Financial Consulting”* (Aspen Publishers). He has additionally taught before the Institute of Business Appraisers and CPA Leadership Institute, and has presented healthcare industry valuation related research papers before the Healthcare Financial Management Association; the National CPA Health Care Adviser's Association; Association for Corporate Growth; Infocast Executive Education Series; the St. Louis Business Valuation Roundtable; and, Physician Hospitals of America.



Anne P. Sharamitaro, Esq., is the Vice President of **HEALTH CAPITAL CONSULTANTS (HCC)**, where she focuses on the areas of Certificate of Need (CON); regulatory compliance, managed care, and antitrust consulting. Ms. Sharamitaro is a member of the Missouri Bar and holds a J.D. and Health Law Certificate from Saint Louis University School of Law, where she served as an editor for the *Journal of Health Law*, published by the American Health Lawyers Association. She has presented healthcare industry related research papers before Physician Hospitals of America and the National Association of Certified Valuation Analysts and co-authored chapters in *“Healthcare Organizations: Financial Management Strategies,”* published in 2008.