Nelson Hardiman Wins False Claims Act Case on Behalf of Southern California Hospital



Nelson Hardiman attorneys Mark Hardiman and Jonathan Radke notched a False Claims Act (FCA) victory Tuesday on behalf of our client, a large Southern California hospital, after a judge granted our motion for summary judgment in U.S. District Court. Two whistleblowers from a rival laboratory alleged that the hospital's kidney transplant program had submitted millions of dollars of Medicare claims for duplicative and medically unnecessary histocompatibility testing for transplant candidates. After extensive discovery and numerous expert depositions, Hardiman and Radke moved for summary judgment on the ground that evidence of a good faith dispute about evolving testing standards cannot form the basis of a FCA case. Adopting their argument, the district court entered judgment in the hospital's favor, holding that no jury could reasonable find that the hospital's testing claims were false.