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Queen's pays \$2.5M to settle 2 whistleblower lawsuits

By [Leila Fujimori](#)

POSTED: 01:30 a.m. HST, Jun 04, 2009

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Two former Queen's pharmacy technicians alleged the hospital submitted false bills for medication dispensed at the hospital, and billed federal programs for services provided by resident doctors without the required supervision, the U.S. Attorney's Office said.

"The Queen's Medical Center denies any intentional wrongdoing, but after five years of discussions and negotiations with the government, has agreed to settle this matter so that its resources may be spent on providing quality health care rather than on legal fees," said John Nitao, the Queen's Health Systems vice president and general counsel, in a written statement.

Queen's signed a settlement agreement April 27, saying the federal and state governments contended that from Sept. 8, 1999, to Oct. 28, 2002, Queen's submitted false claims to Medicare, the state Medicaid program and TRICARE, the federal health-benefits program for military dependents, but it has denied the government's allegations.

The claims sought payment for dispensing anti-psychotic drugs allegedly ordered by a psychiatrist when they were actually ordered by non-psychiatric doctors without prior knowledge of a psychiatrist.

The government also contended Queen's wrongfully submitted claims from July 1, 1999, through June 30, 2006, to Medicare, Medicaid and TRICARE for services performed by resident doctors, which is only permissible under Medicare rules if a teaching physician is supervising them, the settlement agreement said.


Queen's paid \$2 million to the federal government and \$500,000 to the pharmacy technicians' attorneys. The government shared \$400,000 of the settlement proceeds with the two former technicians who blew the whistle.

Queen's entered into a "corporate integrity agreement" with the U.S. Department of Health and Human Services, in which it agreed to maintain a compliance program for five years ensuring its billings conform to health-care program rules.

Edward Kubo, U.S. attorney for Hawaii, praised the two technicians for "their courage in coming forward with the case."

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