

# American Health Imaging, Inc. and Scott Arant Agree to Pay \$5,250,000 to Settle Whistleblower Allegations of knowingly submitting, false or fraudulent claims to Medicare and Georgia Medicaid for Diagnostic Imaging Studies in Violation of the Anti-Kickback Statute ("AKS") Announces Moss & Gilmore LLP.

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ATLANTA, Dec. 3, 2024 /PRNewswire/ -- Atlanta and New York-based Moss & Gilmore LLP announced today the settlement with the U.S. Department of Justice ("DOJ") and State of Georgia of a False Claims Act ("FCA") lawsuit against Defendants American Health Imaging, Inc. ("AHI") and its former owner, President and CEO, Scott Arant ("Arant"), on behalf of its client, who was employed by American Health Imaging, Inc., a branch of the related entities owned by Defendant AHI.

Defendant American Health Imaging, Inc.'s website (<https://americanhealthimaging.com>), "American Health Imaging is the leader in high quality, medical imaging in the southeast. Headquartered in Atlanta, GA, American Health Imaging (AHI) invests in the most up-to-date imaging equipment to enhance the patient experience and provide the highest quality diagnostic images since 1998. In 2019, AHI partnered with US Radiology Specialists. Today, AHI owns and operates over 45 best-in-class diagnostic imaging facilities in Alabama, Georgia, Florida, South Carolina and Texas."

According to the Department of Justice website and Settlement Agreement, AHI and Arant, while not acknowledging or admitting any wrongdoing, will pay to DOJ \$5,250,000, ("Settlement Amount") to resolve allegations in the lawsuit that it knowingly violated the FCA and the Georgia False Medicaid Claims Act for, among other things, the following:

The government alleged that, between 2011 and 2019, AHI relied on a variety of inducements – sporting events, fishing trips, happy hours, sponsorships of "open houses" at physician offices, and gifts of alcohol, gas cards, and free scans – to generate referrals for diagnostic scans. Many of AHI's marketing events involved no discernible educational purpose. Examples include tickets to the SEC football championship game, tickets to concerts, monthly dinners with referral sources, and outings to nail salons. The government also alleged that AHI entered into personal services agreements with referring physicians that were above fair market value. Under these agreements, physicians were compensated to interpret the scans that they referred to AHI.

**DOJ's press release can be found at <https://www.justice.gov/usao-ndga/pr/american-health-imaging-inc-and-scott-arant-pay-over-5-million-resolve-allegations>.**

The whistleblower, who was awarded 17% of all payments to be received under the Settlement Agreement by DOJ, was represented by Raymond L. Moss at Moss & Gilmore LLP, who initially brought this FCA action on behalf of the whistleblower, the U.S. Government and the State of Georgia against the Defendants in September, 2015.

"The whistleblower, Tanya Benjamin, bravely brought what she believed to be very troubling practices to light as described in her lawsuit in order to seek to protect vulnerable patients and stop government fraud and abuse and illegal kick-back arrangements, which could undermine quality and affordable healthcare", said Raymond Moss. "The False Claims Act and the Anti-Kickback Statute continue to be effective enforcement tools for the Government to curb and deter illegal kick-back arrangements", said Moss.

The case, brought in the United States District Court for the Northern District of Georgia, is captioned, *United States, States of Florida, Georgia and Texas, ex rel. Tanya Benjamin v. Scott W. Arant, American Health Imaging, Inc., et al.*, Civil Action. No. 1:15-cv-3242-RWS (N.D. Ga.).

The Government investigation and settlement of these allegations were handled and settled by the United States Attorney's Office in the Northern District of Georgia through Assistant United States Attorney Austin Hall and Georgia State Assistant Attorneys General Sara Vann and Mary Bryan. The Department of Health and Human Services ("HHS") for the Inspector General also participated in the investigation.

The False Claims Act fosters a private-public partnership to fight fraud against the government. The law encourages whistleblowers to file civil lawsuits against companies that are defrauding the government by offering job protection against retaliation and a reward of 15 to 30 percent of the government's civil recovery if the government joins or intervenes in the case. Under the False Claims Act, the United States may recover three times the number of losses, plus civil penalties.

**About Moss & Gilmore LLP:** *With offices in Atlanta and New York, Moss & Gilmore LLP represents whistleblowers in the U.S. and worldwide in federal and state false claim whistleblower and related retaliation cases involving healthcare fraud and military procurement fraud. Moss & Gilmore LLP represents whistleblowers in cases under the False Claims Act and claims under the U.S. Securities and Exchange Commission, Commodity Futures Trading Commission involving securities and commodities fraud and IRS whistleblower reward programs. For more information, visit [www.mossgilmorelaw.com](http://www.mossgilmorelaw.com).*

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