

## Atlanta Imaging Co., Ex-CEO To Pay \$5M In FCA Settlement

By **Chart Riggall**

Law360 (December 3, 2024, 9:10 PM EST) -- An Atlanta-based diagnostic imaging company and its former CEO have agreed to pay \$5.25 million to end claims that the firm ran a referral kickback scheme in which it buttered up doctors with sports tickets and booze in exchange for sending patients its way, the U.S. Department of Justice has announced.

American Health Imaging Inc. and ex-CEO Scott Arant agreed to the settlement with both the state of Georgia and the federal government to resolve a whistleblower complaint brought by onetime employee Tanya Benjamin, the U.S. Attorney's Office for the Northern District of Georgia said in a statement Monday.

Court records in the False Claims Act case remain sealed, but the government noted that American Health spent the better part of a decade doling out a wide variety of gifts to physicians who referred their patients to the company.

From 2011 to 2019, prosecutors alleged, American Health paid for concert and college football tickets, nail salon visits, regular dinners, gas cards, and "open houses" at doctor's offices. The company also inked agreements with the referring doctors that made sure the physicians got paid to review the scans after they'd been performed by American Health.

According to its website, American Health operates more than 20 locations in Georgia, along with sites in Texas, Alabama, South Carolina and Florida. Arant, for his part, has retired from the company, which he founded. He now serves on the board of Atlanta's Physicians' Care Clinic, its website showed.

Ryan Buchanan, U.S. attorney for the Northern District of Georgia, said in the statement Monday, "The use of inducements to obtain referrals from medical professionals jeopardizes the integrity of our healthcare programs. This settlement demonstrates our office's commitment to hold accountable providers who ignore Medicare and Medicaid's strict prohibition against using kickbacks for personal greed."

Georgia Attorney General Chris Carr added, "We won't allow for any provider to take advantage of a system meant to care for our most vulnerable Georgians. We will continue to protect the interests of Georgia patients and taxpayers by putting a stop to Medicaid fraud and abuse in our state."

The federal government is represented by Austin Hall of the U.S. Attorney's Office for the Northern District of Georgia.

Georgia is represented by Sara Vann and Mary Bryan of the Georgia Office of the Attorney General.

Counsel information for Arant and the company was not available.

The case is United States and State of Georgia ex rel. Benjamin v. Arant et al., case number 1:15-cv-03242, in the U.S. District Court for the Northern District of Georgia.

--Editing by Covey Son.