In early November, Lauer was in Washington, D.C., to moderate a Health Care Compliance Association symposium on a topic the Latham & Watkins partner knows very well: “Anatomy of a False Claims Act Case.”

As a former global co-chair of her firm’s health care and life sciences practice group, Lauer and colleagues discussed the investigation, negotiation and resolution phases of typical whistleblower events.

Her expertise is extensive in defending clients in the qui tam and government healthcare fraud arena.

“I’m currently handling about 20 such cases, many of them still under seal,” she said.

Lauer has represented clients such as HCA Healthcare Inc., Tenet Healthcare Corp., Sutter Health and Adventist Health West. She provides ongoing healthcare regulatory and compliance advice and has extensive experience in matters involving the federal Anti-Kickback Statute, the Stark Laws banning physician self-referrals of Medicare or Medicaid patients and the False Claims Act.

“Because the case is a hybrid, we have filed two motions to dismiss,” Lauer said. “It’s somewhat more complicated, and there are tens of millions of dollars involved.”

Her motions contend that the claims involve an outdated view of the Medicare Advantage program that prior courts have repeatedly rejected. In a recently completed matter, the 11th U.S. Circuit Court of Appeals affirmed a district court dismissal of a whistleblower case against Lauer’s client HCA, the nation’s largest healthcare system.

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