Office of the Indiana Attorney General

Education and Professional Development Services

False Claims Act Conference

Understanding the Fundamentals of Qui Tam Cases

Tuesday, April 5, 2011

Indiana Government Center South, Conference Room 22

Course Description:

Fundamentals of the Civil False Claims Act and Qui Tam Enforcement Against Health Care Providers – Allen Pope

This presentation will provide an introductory overview of Indiana's Civil False Claims Act (FCA). This discussion led by the Chief Counsel and Director of the Indiana Attorney General's Medicaid Fraud Control Unit will cover key principles of the FCA procedure and the basics of liability, defenses, and damages. This presenter will discuss the FCA as an enforcement tool against pharmaceutical, device manufacturers, and other healthcare providers committing health care fraud as well as a general overview of Indiana's typical *qui tam* workload.

"What Do You Do When A Whistleblower Wants to Talk?": A Practical Approach to Qui Tam Cases – Michael Behn

A private lawsuit must be filed by a relator, also known as a whistleblower, in order for the state and federal governments to investigate the fraud case and intervene. Nationally recognized whistleblower lawyer Michael I. Behn of Chicago, Illinois, will review the various issues involved in the pre-filing of a government investigation including issues of privilege, confidentiality and discovery. This presenter will also discuss practical approaches to developing strong working partnerships between whistleblowers, their lawyers and the government, through the provisions of the FCA.

Government Intervention: The Evaluation Procedure of Qui Tam Cases from a Federal Perspective – Allen Pope, Michael Behn, Joe Reid and Shelese Woods

In every FCA case, the government investigation is crucial because both the relator and the defense are seeking to influence the government intervention decision, and many cases are settled before any formal government action is started. This panel, led by moderator Allen Pope, along with subject-matter-experts Michael Behn, Former Assistant United States Attorney for the Southern District of New York, Joe Reid, Assistant United States Attorney for the Northern District of Indiana, and Shelese Woods, Assistant United States Attorney for the Southern District of Indiana, will discuss the evaluation criteria that is used to make decisions on whether or not the Department of Justice will investigate the qui tam case and the requirements for intervention. This panel will also highlight successful qui tam cases that have resulted in multi-million dollar settlements.

RSVP via email to: oageducation@atg.in.gov

CLE: 2.50 general credit hours pending approval