

## Insights

### **Office of Inspector General (OIG) Revises its Policy Regarding Gifts of Nominal Value To Medicare and Medicaid Beneficiaries**

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December 11, 2016

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Federal law penalizes a person who offers or gives a Medicare or Medicaid beneficiary any remuneration that it knows or should know is likely to influence the beneficiary's selection of a specific provider, practitioner, or supplier of Medicare or Medicaid covered items or services. The OIG interpreted this prohibition to allow gifts of "nominal value," which until December 7, 2016, was \$10 per item or \$50 in the aggregate per patient on an annual basis.

On December 7, 2016, the Health and Human Services Secretary Office of Inspector General ("OIG") announced that it was increasing the "nominal value" of gifts that a provider may give to Medicare and Medicaid beneficiaries to \$15 per item and \$75 in the aggregate per patient on an annual basis. This change is effective December 7, 2016.

Please contact Brandon W. Shirley if you have any questions regarding this revised OIG policy.