

JEFF ANSLEY PANELIST FOR ABA SUPPORT ACT CLE WEBINAR LOOKING AT EKRA OVERLAP WITH ANTI- KICKBACK STATUTE AND FALSE CLAIMS ACT

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Partner Jeffrey J. Ansley is a presenter for the American Bar Association (ABA) webinar titled, “The SUPPORT Act, EKRA and the Impact on the False Claims Act,” offering CLE credit to attorneys and available on demand. The program explores aspects of the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act (SUPPORT Act). The SUPPORT Act addresses the opioid crisis through 120 separate bills and is a result of the SUPPORT Act’s Section 8122 – Eliminating Kickbacks in Recovery Act of 2018 (EKRA). The overlap between EKRA and certain provisions of the Anti-Kickback Statute and the False Claims Act are the focus of the program, offering a comparison of these laws, as well as looking at how EKRA may be used by the plaintiff/government and the defendant, in either a compliance or a litigation scenario.

Key takeaways include:

- The key parts of the SUPPORT Act and EKRA and their relevance to other laws.
- How the EKRA safe harbors are both similar to and different than the AKS safe harbors.
- That EKRA is an all-payor statute that may be used as a basis for a False Claims Act case and potential criminal prosecution.

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