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**AG SLATERY SUES HEALTH MANAGEMENT ORGANIZATION FOR
FRAUDULENT MEDICAID CLAIMS; KICKBACKS**

Defendants targeted Medicaid-eligible patients for profit

Nashville- Attorney General Herbert H. Slatery III announced a lawsuit against Defendant Care Services Management (CSM), Marquis Mobile Dental Services LLC (MMDS), and their owners: Mark Napper, Joshua Kilgore, and Daniel Bird for violations of the Tennessee Medicaid False Claims Act.

In the complaint, the State alleges Mark Napper, through his health services management organization, knowingly caused false claims to be submitted under the state's Medicaid program, TennCare.

The State asserts Defendants focused on Tennesseans who were receiving Medicaid assistance for their long-term care and were eligible to deduct healthcare expenses, like dental care, from the payment to their long-term care (LTC) facility. Those deductions resulted in TennCare paying for a larger portion of the long-term care.

Defendants provided free administrative services to the LTC facilities and free dental services for some of their residents. In exchange, the LTC facilities referred patients to CSM. This constituted an illegal kickback arrangement. A second violation occurred when CSM referred those same residents to mobile providers in return for cash.

"The Defendants took advantage of government dollars intended to help elderly residents in long term care," said General Slatery. "This Office will enforce the law against those who use illegal schemes to enrich themselves."

These actions, the lawsuit states, violate the federal Anti-Kickback Statute (AKS), which in turn violates the Tennessee Medicaid False Claims Act. The State is seeking damages to be determined at trial, in addition to the maximum civil penalty for each violation.

To read the complaint, click here:

<https://www.tn.gov/content/dam/tn/attorneygeneral/documents/pr/2021/pr21-10-complaint.pdf>

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