



Kim Stanger

Partner
208.383.3913
Boise
kcstanger@hollandhart.com



J. Malcolm (Jay) DeVoy

Partner
702.669.4636
Las Vegas, Reno
jmdevoy@hollandhart.com

New Stark and Anti-Kickback Statute Comparisons

Insight — 12/07/2020

On November 20, 2020, CMS and the OIG published their much anticipated amendments to the federal Stark and Anti-Kickback laws. As summarized in our recent client alert, the changes open the door to value-based contracting with potential referral sources. They also modify existing regulations and create new safe harbors applicable to provider relationships.

To assist our clients and friends, Holland & Hart has prepared a redline version of the regulations that highlight the changes. The documents may be accessed here:

- Revised Stark Regulations
- Revised Anti-Kickback Statute Regulations

The Federal Register versions of the revised regulations and accompanying commentary may be accessed here:

- 42 CFR 411
- 42 CR 1001 and 1003

For a more in-depth view into the new rules, please join Holland & Hart healthcare attorneys Jay DeVoy and Amber Ellis for a complimentary webinar on **December 17, 2020**, which will discuss the final rules, focusing on:

- The new value-based exceptions and safe harbors and their initial/continuing requirements for compliance;
- Comparison and contrast between the related provisions under Stark and AKS;
- Discussion of new definitions related to value-based exceptions and safe harbors.

Please RSVP for the December 17 webinar here.

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