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Speaking Engagements

Noam Fischman to Examine the Impact of Erlanger on Physician Compensation and False Claims Act Risk

November 30, 2026
2:30 PM - 3:30 PM ET

Webinar

Noam Fischman will speak on a live webinar program hosted by myLawCLE titled "Employed-Physician Compensation After Erlanger: FMV Files, Scienter, and Commercial Reasonableness."

In his presentation, "How the Erlanger Theory Turns a Hospital's FMV File Into Scienter Evidence," Noam will examine how the Department of Justice's theory in United States ex rel. Sullivan v. Erlanger Western Carolina Hospital can turn a hospital's own fair market value (FMV) documentation into evidence of scienter under the False Claims Act. He will discuss how compensation opinions, referral projections, consultant warnings, and internal compensation records can create potential liability, as well as how the Supreme Court's subjective-knowledge standard in SuperValu affects this analysis. Noam will also provide practical guidance for auditing existing FMV files and identifying documentation gaps before litigation or a government inquiry.

Register

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