

OTHER FRAUD

The False Claims Act, first passed in 1863 and colloquially known as the Lincoln Law, prosecutes individuals and businesses that attempt to defraud the government. Although most False Claims Act lawsuits pertain to government health care programs and the military, the False Claims Act applies to any part of the government defrauded by an individual or business.

Most False Claims Act lawsuits come to light because an individual alerts the government to the fraud. In exchange, the government protects and may reward the whistleblower. A False Claims Act lawsuit is also sometimes known as a “qui tam pro domino rege quam pro se ipso in hac parte sequitur” case. This is short for “qui tam,” or “he who sues in this matter for the king as well as for himself.”

Understanding Qui Tam Lawsuits

In a qui tam lawsuit, the individual who assists the prosecution in a government fraud case is entitled to part of the settlement if penalties are assessed by the court. Penalties in qui tam law are triple damages, and government fraud lawyers have recovered more than 35 billion dollars in damages since the act was amended in 1986.

In the 1986 government fraud amendment, Congress increased the reward to encourage whistleblowers to step forward and testify to the fraud without concern for job security. In general, the whistleblower does not have to be harmed by the fraud, and the fraud cannot have become public knowledge.

The FCA’s *qui tam* provisions cover government fraud beyond health care, defense contractor, and purchasing fraud. In fact, the False Claims Act incentivizes and enlists the support of whistleblowers across the nation who have uncovered or witnessed a government fraud in a wide variety of areas that result in the government being overcharged for goods or services. Other fraudulent schemes covered by the False Claims Act include:

- Federal Housing Administration (FHA) fraud
- U.S. Department of Housing and Urban Development (HUD) fraud, including mortgage and Section 8 fraud
- General Services Administration (GSA) fraud
- U.S. Small Business Administration (SBA) fraud
- Stark Law anti-kickback fraud
- Disaster assistance loan fraud
- Agricultural subsidy fraud

Contact the Government Fraud Attorneys at Hodgson Russ Today

For more information on government fraud and how a qui tam lawsuit attorney can assist you, contact Dan Oliverio.