



# Pharmaceutical Fraud

Whistleblowers may report pharmaceutical fraud against the government, which typically involves misconduct with Medicare and Medicaid.

Pharmaceutical fraud often involves one of the following types of conduct:

- **Kickbacks:** Pharmaceutical companies are generally prohibited from paying kickbacks to service providers for the prescription or use of a drug. Service providers are prohibited from accepting kickbacks from drug manufacturers.
- **Price Reporting Fraud:** Pharmaceutical companies are generally required to offer their products to certain government programs, including Medicaid, at the “best price” available on the market. Pharmaceutical companies that misreport or intentionally obfuscate drug prices to cause the government to overpay may be guilty of price reporting fraud.
- **Off-Label Marketing:** Pharmaceutical companies may only advertise or promote their drugs for FDA-approved uses. Pharmaceutical companies may be guilty of off-label marketing when they promote or advertise their drugs for unapproved uses. This often occurs when pharmaceutical companies hire advocates to promote the off-label uses, target advertising at vulnerable groups, or pay kickbacks (often as promotions, trips, or speaking fees) to service providers to prescribe the drug.
- **Misrepresentations to the FDA:** Pharmaceutical companies may be liable if they fraudulent obtain FDA approval for a drug by lying to the FDA or omitting significant information.

**To schedule a free and confidential consultation call 888.384.2588 or [click here](#).**