



The “Lincoln Law”

The False Claims Act, also known as the “Lincoln Law”, is a federal law that allows any citizen to file law suits on behalf of the government. This American law was first written during the American Civil War, by President Abraham Lincoln. The Civil War (1861-1865) was marked by fraud on all levels in the Union north and Confederate south. Unscrupulous defense contractors sold the Union Army horses and mules in ill health, faulty rifles and ammunition and rancid provisions. The False Claims Act, passed by Congress on March 2, 1863, was an effort by President Lincoln to respond to this fraud. Importantly, a reward was offered in what is called the “qui tam” provision, which permits citizens to sue on behalf of the government and to be paid a percentage of the recovery.

Fast forward to 2010 and the False Claims Act remains an important legal tool to counteract fraudulent billings turned into the federal and state government. The law protects against fraud where large amounts of government spending occurs, obviously this includes the costs of health care as well as defense contractors. A private person, known as a “whistleblower”, can bring a lawsuit on behalf of the government when the person has knowledge that someone (a company or provider) has knowingly submitted or caused the submission of false or fraudulent claims. The *whistleblower* stands to receive a portion (usually between 15-25 percent) of any recovered damages.

In September 2009, a former Pfizer Inc. sales representative was awarded \$51.5 million for his role as whistleblower in the investigation of Pfizer’s marketing practices of the drug Bextra. Pfizer pled guilty to various civil and criminal charges and paid a total of \$2.3 billion to the government. The case netted the largest criminal fine ever imposed in the United States for any matter, \$1.195 billion, and the largest civil fraud settlement against any pharmaceutical company.

Our policy on False Claims states, “Allegany Arc is committed to prompt, complete and accurate billing for the services provided to the people we support. The Arc and its staff and contractors will not submit any false or misleading entries on any bill or claim form. It is the policy of Allegany Arc to monitor against and prevent fraud, waste and abuse in federal and state healthcare programs”

If you have any questions about any of our policies or the procedures we use, I invite you to call or stop by. ~Joanne 593-5700 ext. 570

“Knowledge is of two kinds. We know a subject ourselves, or we know where we can find information on it.”

~Richard Feynman

Conflict of Interest

As staff of Allegany Arc we must ensure that outside employment and outside activities do not interfere with job responsibilities nor jeopardize public confidence in the agency. If unsure, staff are encouraged to discuss any significant employment or outside activities with their Supervisor or Compliance Officer.

Conflict of Interest

We must avoid direct or indirect responsibility for the hiring or supervision of a family member. Even the appearance of favoritism can have a degrading effect on employee morale and perception of the agency’s fairness to all staff. Employment of family members is permitted so long as staff are not reporting directly or indirectly to each other (subject to CEO approval).

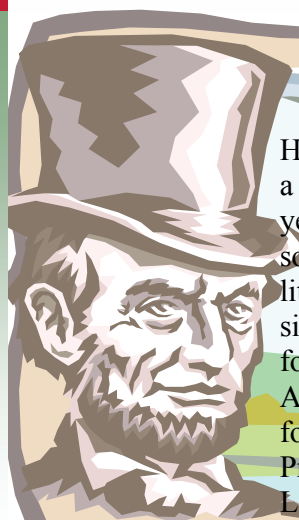
CONFLICT OF INTEREST

We must avoid situations where our personal interests could conflict, or reasonably appear to conflict, with the interest of the agency. A conflict of interest occurs whenever a staff person permits the prospect of direct or indirect personal gain to improperly influence his or her judgment or actions in the conduct of agency business. It is not possible to list every type of potential conflict of interest. When in doubt, share the facts of the situation with your Supervisor, the Human Resource Department, or the Compliance Officer.

CONFLICT OF INTEREST

Two basic principles apply to every employee or Board Member of Allegany Arc:

- (1) The interest of the agency and the people we serve takes precedence over private business interests; and
- (2) A business opportunity which belongs to Allegany Arc, or which is based on confidential information not available to the public, shall not be used for personal gain or for any purpose contrary to the agency’s interests.



Abraham Lincoln by Dottie Smith

He was our 16th President of the United States. I saw a statue of him in Niagara Falls when I was there last year. He was married to Mary Todd Lincoln. His son’s names were Robert Todd Lincoln and he had a little boy Willie Todd Edward Lincoln whom was sickly most of his young life. He was awful tall at 6 foot 4 inches tall.

Abraham Lincoln’s birthday was February 12th, not formally a true holiday but now is celebrated as President’s Day as combinations of Washington and Lincoln Day.

