

WEISS



January 23, 2026

Five Ophthalmology Practices See Eye to Eye in False Claims Act Settlement

Most physicians wouldn't fall for, "psst, wanna buy a watch?", but more than you'd probably imagine fall for the opportunity to make some "extra revenue".

Usually, those opportunities are packaged as something simple. "It's easy." "Everyone is doing it." "We'll handle the paperwork." "It's compliant; our lawyers checked it out."

Then, years later, someone blows the whistle and, well, it could be time to go to your room without dinner.

On January 15, 2026, the DOJ announced that five Florida ophthalmology practices agreed to pay nearly \$6 million to resolve False Claims Act allegations tied to billing trans-cranial doppler ultrasounds (TCDs) through what the government described as a kickback arrangement with a third-party testing company.

Here's the breakdown of the settlement: Clay Eye Holdings LLC will pay \$2,140,000, Retina Macula Specialist of Miami LLC will pay \$1,750,000, Florida Eye Institute P.A. will pay \$1,250,000, Miami Eye LLC will pay \$525,000, and Kendall Eye Institute Inc. will pay \$310,000.

According to the government's allegations, the practices performed thousands of TCDs and billed Medicare and Medicaid hundreds of dollars per test, despite the tests allegedly being medically unnecessary and, in many cases, premised on diagnoses that were not supported by the patients' medical histories or the test results.

Additionally, the government alleged that settling practices paid the third-party testing company based on the volume or value of tests ordered and referred the patients to the testing company's preferred radiology group for the TCDs' professional component.

In addition to the payment of settlement dollars, all five practices agreed to cooperate with the Justice Department's ongoing investigations of other participants in the alleged scheme. And, as to "other participants", the federal government previously resolved similar allegations against two other ophthalmology practices, Brandon Eye Associates P.A., and Pinellas Eye Care, P.A. dba Gulfcoast Eye Care.

Note that in the case of all civil settlements, the claims resolved are allegations only and there was no determination of liability.

Some takeaways for you:

1. Easy money in the context of medical practice can often be like eating that questionable burrito: tasty on the way down, ptomaine on the way up.
2. "No one on the outside is going to find out" really means that it's likely that someone on the inside, a whistleblower, knows exactly what's going on. Here, in the case of the five eyes, the whistleblower who filed the original False Claims Act lawsuit is to walk away with more than \$1.13 million.
3. Like a bad game of "the prisoners' dilemma", when a scam ship begins to sink, the pressure is on to settle out for reasonable bucks and the obligation to sing for the rest of your supper.



Your Weekly Dose of Schadenfreude:
From Telehealth to Telefraud

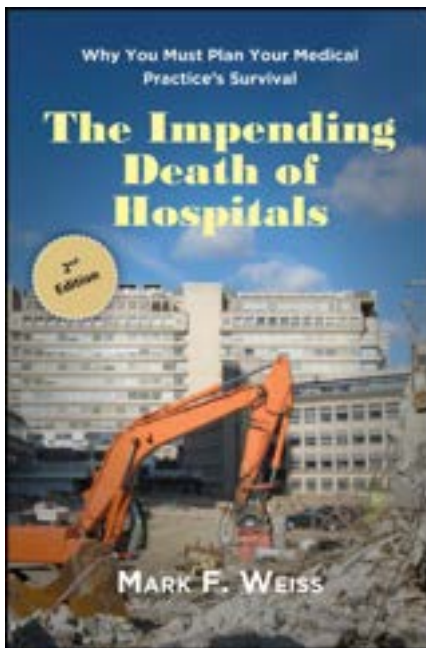


If this story made you think twice about compliance, don't wait for the next headline to find you.

Contact me to discuss protecting your reputation, your license, and your *future*.

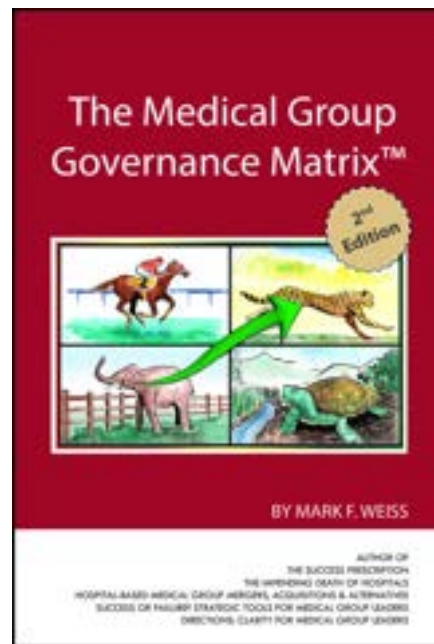
Your favorites, updated.

Two of our most popular publications are back with current statistics and the same urgent message: You must plan for your group's continued success.



Hospitals gorged on “aligned” physicians. Now it’s evident that integrated care delivers neither better care nor lower costs. And now, technology is mooting many of the reasons for a hospital’s existence. How can your practice survive in the post-hospital world?

Get your copy



An inadequate governance structure can cripple your medical group’s ability to make effective decisions. Are steering your group toward disaster? The Medical Group Governance Matrix introduces a simple four-quadrant diagnostic tool to help you find out.

Get your copy

**When you're ready, here are 4 ways I can help you
and your business:**

Download one of our books.

Our books provide you with a framework for thinking about your success. Browse our selection and take control of your future today.

Be a guest speaker on our podcast.

Passionate about sharing personal and professional achievements and lessons learned? Email me to participate in the conversation.

Book me to speak to your group or organization.

I've presented to various medical groups, organizations, universities, and privately consulted on many topics that today's healthcare professionals are facing. Let's discuss a tailored presentation to fit your group.

Engage me to represent you.

If you're interested in enhancing your profitability and effectively managing your risk, email me to discuss how we can work together to achieve your goals.

Join the conversation



Visit our website 