FAVORABLE

OIG WATCH

24-13

Pharma-sponsored travel, lodging, and meals for patients receiving one-time T-cell therapy

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What OIG Said

OIG said this is remuneration, but allowed it because it was narrowly scoped, not advertised, and not used to drive referrals.

- ✓ OIG reviewed a pharma program offering travel, lodging, and meals for financially eligible patients receiving a one-time T-cell therapy, plus support for one caregiver.
- ✓ OIG said this counts as remuneration under the Anti-Kickback Statute, including indirect value to physicians and treatment centers through potential steerage.
- ✓ The opinion turned favorable because the support was only offered when no other assistance was available, was not advertised, and did not require exclusive use of the drug or any treatment center.
- ✓ OIG accepted that the support promoted access to care, posed low risk of harm, and was unlikely to distort clinical decision-making or inflate utilization.

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Diligence Checklist

What you need to be ready to show in diligence

- ✓ Document strict eligibility criteria, including income thresholds, distance rules, and FDA label compliance.
- ✓ Show the program does not duplicate support already available from charities, payors, or providers, and prove you check that.
- ✓ Prove the support is not tied to exclusive use of any product, physician, or treatment site.
- ✓ Keep clear, itemized records of support amounts and patient attestations.
- ✓ Avoid promotional use, no broadcast advertising, inducement messaging, or volume-based incentives.

If your support program can't prove commercial need, defensible scope, and non-promotional design, this is the profile OIG will scrutinize.

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Structure not diligence-ready?

Cabra Consulting helps healthcare organizations make sure compensation and transaction structures are independently valued, clearly scoped, and defensible in diligence.

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