FAVORABLE

OIG WATCH

25-03

Leasing clinicians + bundled admin support in a digital health MSO model

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What OIG Said

OIG said this can be okay if every dollar is fair market value and not tied to referrals or collections.

- ✓ OIG reviewed an MSO-style arrangement where a management company leased telehealth clinicians and provided admin support (billing, IT, marketing, scheduling) to a physician group.
- ✓ OIG confirmed this structure involved “remuneration,” but approved it because payments were pre-set, FMV-backed, commercially reasonable, and independent of referral volume.
- ✓ Lease fees and admin service charges were paid regardless of collections, meaning the MSO got paid even if no claim was reimbursed, which helped prove payments weren’t referral-linked.
- ✓ OIG highlighted that all fees were supported by independent third-party valuation and consistent with fair market value in arm’s-length deals.

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Diligence Checklist

What you need to be ready to show in diligence

- ✓ Have a reputable third-party FMV opinion covering both the clinician lease rates and the admin/management support fees.
- ✓ Prove payments are owed regardless of referrals, collections, or claim volume, not “we only get paid if you refer.”
- ✓ Show that admin services (IT, billing, marketing, scheduling, etc.) are clearly scoped, commercially necessary, and actually performed.
- ✓ Keep a signed, written agreement with a defined scope, 1+ year term, and no side deals or volume-based kicker clauses.

If your digital health platform structure can’t pass that test, you're potentially at risk of scrutiny.

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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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