



June S. Santiago and Kaleb Rasmussen Outline OIG's Anti-Kickback Guidance in Corporate Compliance Insights

Spencer Fane attorneys [June S. Santiago](#) and [Kaleb Rasmussen](#) authored the article [Safe Harbor Compliance Means More Than Fair Pricing in Healthcare](#), recently published by *Corporate Compliance Insights*.

In their article, originally a firm [blog post](#), the team discusses the Office of Inspector General's recent guidance clarifying that fair market value alone does not protect compensation arrangements under the Anti-Kickback Statute. They examine why healthcare providers, administrators, and investors must also consider commercial reasonableness, bona fide business purpose, and referral-related intent when evaluating compliance.

"We expect greater scrutiny of percentage-based fees that fluctuate based on the volume or value of referrals. As the OIG focuses on intent, percentage-based fee models may more frequently be viewed as circumstantial evidence of an intent to influence referrals and thereby increase the share in referral profits," the team wrote.

At the firm, June combines private practice and in-house experience to deliver client-centric legal services and resolve top corporate health care regulatory and business concerns, allowing providers to keep a focus on providing high-quality patient care and successful operations.

Kaleb is a data-driven attorney who advises organizations on complex state and federal laws governing transactions, compliance, and reimbursement. Serving both health care and employee benefits clients, he provides legal solutions grounded by data so they can make confident decisions amid risk.

Read the team's full article [here](#).