

CLIENT ALERT

“It’s Alive!” High Court Recognizes “Frankenstein’s Monster” Theory of FCA Liability

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In *Universal Health Servs. v. U.S. ex rel. Escobar*, the Supreme Court unanimously held that a defendant may be liable under the FCA when, in connection with a claim for payment submitted to the government, the defendant “makes specific representations about the goods or services provided” and fails to disclose noncompliance with material statutory, regulatory, or contractual requirements that makes the representations “misleading half-truths.” In a "[Feature Comment](#)" published in *The Government Contractor*, C&M attorneys analyze the Court’s opinion, the legal and factual context in which it arose, and its likely effect on federal government contractors.

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