

## **Magistrate orders feds to cough up Medicare docs in Guidant lawsuit**

Mass Device

A Minnesota federal magistrate orders the government to release Medicare payment documents in a whistleblower lawsuit filed against Boston Scientific's embattled Guidant subsidiary over its implantable cardiac defibrillators.



[Boston Scientific](#) [1] (NYSE:[BSX](#) [2]) won a bid to force the federal government to release Medicare documents covering reimbursement for implantable cardiac rhythm management devices in a whistleblower lawsuit filed against its embattled Guidant subsidiary.

James Allen sued Guidant and Boston Scientific in July 2008 under the False Claims Act, alleging that they knew of problems with the Ventak Prizm implantable cardiac defibrillator but failed to disclose them.

After initially declining to join Allen's *qui tam* suit, [the federal government signed on](#) [3] in December 2010. Boston Scientific asked Chief Magistrate Judge Arthur Boylan of the U.S. District Court for Minnesota to force the government's lawyers to release documents covering Centers for Medicare & Medicaid Services rules governing unnecessary treatments; CMS communications with doctors and hospitals about ICDs; and CMS reimbursement rules for ICDs.

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[1] <http://www.massdevice.com/company/boston-scientific>

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