

***Practitioner to Practitioner Sale***

This safe harbor provides that remuneration does not include any payment made to a practitioner by another practitioner where the former practitioner is selling his or her practice to the latter practitioner, as long as both of the following standards are met:

Elements of the Safe Harbor	Check if Applicable to the Arrangement
The period from the date of the first agreement pertaining to the sale to the completion of the sale is not more than one (1) year	
The practitioner who is selling his or her practice will not be in a professional position to make referrals to, or otherwise generate business for, the purchasing practitioner for which payment may be made in whole or in part by a federal health care program after one (1) year from the date of the first agreement pertaining to the sale	

***Practitioner to Hospital or Other Entity Sale***

This safe harbor provides that remuneration does not include any payment made to a practitioner by a hospital or other entity where the practitioner is selling his or her practice to the hospital or other entity as long as all of the following standards are met:

Elements of the Safe Harbor	Check if Applicable to the Arrangement
The period from the date of the first agreement pertaining to the sale to the completion of the sale is not more than three (3) years	
The practitioner who is selling his or her practice will not be in a professional position after completion of the sale to make or influence referrals to, or otherwise generate business for, the purchasing hospital or entity for which payment may be made in whole or in part by a federal health care program	
The practice being acquired must be located in a Health Professional Shortage Area (HPSA) for the practitioner's specialty	
<p>Commencing at the time of the first agreement pertaining to the sale, the purchasing hospital or entity must diligently and in good faith engage in commercially reasonable recruitment activities that:</p> <ol style="list-style-type: none"> <li>1. May reasonably be expected to result in the recruitment of a new practitioner to take over the acquired practice within a one year period; and</li> <li>2. Will satisfy the conditions of the Statute's practitioner recruitment safe harbor</li> </ol>	