

Materiality Under FCA: The Lower Courts Grapple With Escobar's Meaning

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In this article published by Bloomberg Law's *Federal Contracts Report*, Jonathan Cedarbaum, Benjamin Chapin and Thad Eagles discuss the Supreme Court's decision in *Universal Health Services v. Escobar ex rel. United States* and the different interpretations lower courts have begun to take.

In the six months since the Supreme Court's decision on implied certification and materiality in *Universal Health Services, Inc. v. United States ex rel. Escobar*, lower courts have begun to apply the Supreme Court's analysis to a variety of fact patterns and thus have begun to debate whether Escobar simply reaffirmed the prior understanding of materiality under the False Claims Act (FCA) or instead established a new more rigorous test for materiality. 136 S. Ct. 1989 (June 16, 2016).

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