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Enforcement Spotlight: EyePoint Settlement Highlights DOJ Focus on Pharma Product Support Programs

The recent \$4.7 million settlement between EyePoint and the U.S. Attorney's Office for the District of Massachusetts serves as an important reminder that product support services can draw unwanted government scrutiny even when relatively modest financial settlements are at stake. The settlement included a 5 year Corporate Integrity Agreement (CIA). According to the government, the case centered on two key areas:

Minimizing Reimbursement Risk: EyePoint's "Assurance Program" allegedly reimbursed or otherwise compensated Ambulatory Surgery Centers (ASCs) when payor coverage was denied or paid below the ASC's purchase cost.

Samples: The government alleged that ASCs received more than 100 product samples per month, even though company policies indicated that samples were intended for HCP training on administration. Sales reps were also alleged to have encouraged ASCs to reserve samples for commercially insured patients while seeking reimbursement from federal healthcare programs.

Although DOJ enforcement activity has recently concentrated on other compliance risk areas, the EyePoint settlement highlights the need for careful oversight of market access strategies, sampling programs, and product support initiatives. Our Government Enforcement & Compliance team monitors enforcement actions like EyePoint to help life sciences companies identify emerging regulatory risks, strengthen compliance frameworks, and navigate an evolving enforcement landscape.

[Full Text Settlement Agreement](#)

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