

October 02, 2013 /**24-7PressRelease**/ -- White collar crime: Texas doctor charged with federal health care fraud

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White collar crimes are those that do not involve violence, but rather dishonesty or deception in order to get an illegal financial or other similar benefit. These crimes usually are committed by people in their professions or jobs, or in other positions of trust like guardians, conservators or officers or employees of nonprofit entities.

### Health care fraud

A major problem in the U.S. is the commission of fraud in health care, such as the white collar crime of Medicare fraud. Medicare is the public federal health insurance program for people who have required work histories (or qualifying family members who do) and are seniors or persons with disabilities. Examples of acts that could qualify as Medicare fraud include:-Submitting claims to the government for payment for services never rendered.-Submitting claims containing falsehoods about diagnoses, dates of service or service codes.-Referring patients to other medical facilities in which referring providers or their families have financial interests.-Submitting the same claims to both Medicare and Medicaid (the other major federal health care program) simultaneously.-Submitting claims for medical services performed by people who are not licensed or are improperly licensed.-Requiring payment of extra money in addition to approved charges as a condition of admission.-And more.

Violations of federal health care fraud statutes may be either misdemeanors or felonies and can result in:-Criminal penalties like lengthy imprisonment and steep fines.-Civil penalties like fines and monetary assessments.-Exclusion from future participation in federal health care programs.

### Texas example

According to an April 2013 press release from the U.S. Attorney's Office in the Eastern District of Texas, a federal grand jury has indicted Cedar Hill physician Tariq Mahmood for alleged conspiracy to commit health care fraud as well as seven actual counts of health care fraud. Specifically, for acts over a three-year period relating to his ownership and operation of several

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Written by Australian Business

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Texas hospitals, he is charged with carrying out "a scheme to defraud Medicare and Medicaid through the submission of false and fraudulent claims."

The scheme allegedly involved illegal manipulation of diagnostic codes in billing that resulted in more than \$1.1 million in submitted false claims and receipt by Mahmood and his co-conspirators of more than \$375,000.

The press release says that the doctor could spend a decade in federal prison on each of the eight charges, if convicted.

According to media reports, including investigative pieces by The Dallas Morning News, Mahmood is free on a \$25,000 bond and denies the charges, but has lost ownership or control of his hospitals. In related matters, Mahmood's hospitals are being further scrutinized by federal and state officials for other potential problems, including allegations of:-Suspicious patient deaths.-Dangerous standards of patient care.-Unsanitary conditions.-Improper receipt of federal stimulus money.-Staffing problems.-And more.

Build a vigorous defense early

A conviction for health care fraud is devastating to the defendant's life, considering potential criminal and civil sanctions, harm to his or her professional and personal reputations and possible loss of professional licenses. Any Texan who suspects that he or she is under investigation for health care fraud or who has been charged with a related crime should seek the advice and counsel of an experienced criminal defense lawyer as early in the process as possible to begin to build a vigorous defense. The risks are otherwise too great.