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To: MEMBERS OF THE LONG ISLAND JEWISH ORGANIZED MEDICAL STAFF

A few years ago New York announced that it was expanding its efforts to pursue alleged violations and abuses of the Medicaid program. There have been a continued series of reports announcing results of its investigations and we thought you would find it interesting to review some of the accounts reported.

A pediatric practice in Long Island was targeted by a whistleblower and the New York Medicaid program reached a settlement of \$750,000.00 as the practitioner billed Medicaid under his/her provider number although the services were delivered by employees not enrolled as Medicaid providers. Once again a disgruntled employee resolved employment grievances by initiating the whistleblowing and was handsomely rewarded in the process. Again – a word to the wise – be careful in your office practices as an unhappy employee armed with information can be a dangerous person indeed.

Many cases are reported concerning illegal billings by registered nurses. One such resulted in imprisonment as the RN had engaged in a course of conduct over five years by billing for private duty nursing never performed. This incident is comparable to one entailing dentists billing for expensive procedures which were never performed. The podiatrist who bills for custom made orthotics which instead come off the shelf.

A Queens pharmacy owner pleaded guilty in a criminal proceeding as there was a kickback arrangement with an employee of Nassau University Medical Center. In addition to

the incarceration the pharmacist agreed to reimbursement of 1.5 million dollars.

There are too many cases to report about transportation services submitting future billings and attempting to enter into improper referral relationships with healthcare and/or nursing facilities.

The reported cases offer scant information as to how the professionals are targeted for investigation. From our professional experiences we observe many instances of whistleblowing leading to inquiries; unusual billing patterns leading to outlier investigations; reports or complaints from unhappy patients looking to harass the physician. The reasons for the investigations are many and the result for the practitioner is one more annoyance in a busy professional existence.

Respectfully submitted,

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