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**MANHATTAN U.S. ATTORNEY CHARGES TWO DOCTORS AND THREE
OTHERS WITH RUNNING FRAUDULENT AIDS/HIV CLINICS THAT
CHEATED MEDICARE OF APPROXIMATELY \$8.5 MILLION**

PREET BHARARA, the United States Attorney for the Southern District of New York, JOSEPH DEMAREST, JR., the Assistant Director-in-Charge of the New York Office of the Federal Bureau of Investigation ("FBI"), and THOMAS F. O'DONNELL, the Special Agent-in-Charge of the Department of Health and Human Services, Office of Inspector General, New York Region. ("HHS-OIG"), announced that Dr. ROBERTO AYMAT, Dr. JORGE RIVERO, ASMED BARRERA, AUGUSTO GUZMAN, and OSVALDO SOTOLONGO were charged today for defrauding the Medicare system out of \$8.5 million using three AIDS/HIV clinics in Manhattan and Brooklyn.

According to a Complaint unsealed in Manhattan federal Court today:

From January 2007 to April 2009, the defendants operated three medical clinics located on Wadsworth Avenue in Manhattan, Second Avenue in Manhattan, and Rockaway Parkway in Brooklyn that purported to provide drug treatments to Medicare-eligible AIDS/HIV patients. In fact, the clinics were healthcare fraud mills, which routinely billed Medicare for treatments that were either never provided, or which were unnecessary. The defendants executed the scheme by recruiting AIDS/HIV positive patients eligible for Medicare, and paying them a kickback of \$50

each in exchange for their Medicare beneficiary numbers. The defendants then used the numbers to submit claims to Medicare for reimbursement for drugs that had either never been purchased, never been administered, or were medically unnecessary. From January 2007 to April 2009, the defendants billed Medicare for over ten times the number of units of prescription drugs as they actually purchased, defrauding the Medicare system out of at least approximately \$8.5 million.

* * *

AYMAT, 44, of Manhattan, New York, and RIVERO, 82, of East Brunswick, New Jersey, both medical doctors, as well as SOTOLONGO, 38, of Miami, the general manager of the Wadsworth Avenue, Manhattan clinic, and GUZMAN, 42, of Miami, and BARRERA, 38, of East New York, New Jersey, who worked at the clinics administering unnecessary drugs, are each charged with conspiring to commit fraud in connection with a health care benefits program. Each of the defendants faces a maximum penalty of 20 years in prison.

AYMAT and BARRERA were arrested this morning in New York and New Jersey, respectively, and SOTOLONGO and GUZMAN were arrested in the Southern District of Florida. RIVERO is expected to surrender at a later date.

U.S. Attorney PREET BHARARA stated: "The doctors and managers of these alleged fraud mills used their professional positions to cheat the Medicare system out of \$8.5 million, taking away millions meant for elderly Americans in need of medical care. Today's arrests demonstrate this Office's continuing commitment to work with our partners at the FBI and HHS-OIG to investigate and prosecute criminals who steal from Medicare."

JOSEPH DEMAREST, Assistant Director-in-Charge for FBI, stated: "Fraud is a major burden on Medicare, a program created to provide coverage and manage costs for older Americans. The FBI is committed to policing Medicare fraud, because fraud threatens the financial viability of a program ultimately paid for by the American taxpayer. These defendants weren't just manipulating the system; they were stealing our money."

THOMAS F. O'DONNELL, Special Agent-in-Charge for HHS-OIG stated, "Infusion fraud is a serious and increasingly alarming problem affecting both patients and taxpayers. We will continue to aggressively pursue all those taking advantage of Medicare."

Mr. BHARARA praised the investigative work of the FBI and HHS-OIG, and stated that the investigation is ongoing.

The prosecution is being handled by the Office's Complex Frauds Unit. Assistant United States Attorney KAN M. NAWADAY is in charge of the prosecution.

The charges contained in the Complaint are merely accusations and the defendants are presumed innocent unless and until proven guilty.

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