

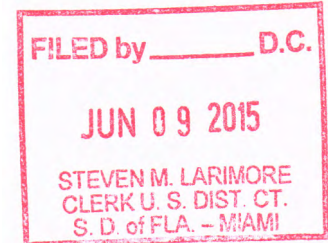
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.

15-20425
18 U.S.C. §1341
18 U.S.C. §1343
18 U.S.C. §1028A(a)(1)
18 U.S.C. §2
18 U.S.C. § 982) (a)(7)

CR-UNGARO

/OTAZO-REYES



UNITED STATES OF AMERICA

vs.

JASON K. BAILEY,
a/k/a "Jayson Bailey,"

Defendant.

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times relevant to this Indictment:

1. Addison Mizner Medical, LLC was a Florida corporation, located at 233 S. Federal Hwy. 103, Boca Raton, FL 33432. Addison Mizner Medical, LLC was a medical clinic that provided insurance beneficiaries, including members covered by Aetna Life Insurance Company, Cigna, Golden Rule, TRICARE Humana Military, and Coventry Health Care of Florida, Inc., with various health care benefits, items, and services.

2. Defendant **JASON K. BAILEY**, a/k/a "**Jayson Bailey**", was a resident of Miami-Dade County. Addison Mizner Medical, LLC employed **BAILEY** to submit claims on behalf of its patients to the insurance carriers and to facilitate the reimbursement of payments to the provider.

3. On or about September 20, 2007, **JASON K. BAILEY** registered Managed Care

Grp Consortium LLC with the Florida Department of State, listing himself as a manager of the company.

4. On or about March 15, 2009, **JASON K. BAILEY** opened bank account xxx8325 at Bank of America in the name of MCG Consortium Corporation, with the defendant listed as the treasurer of said company and as one of two signatories of said account.

5. In or around January 2011, **JASON K. BAILEY** opened bank account xxx4977 at Bank of America in the name of MCG Consortium Corp, with the defendant receiving the only two debit cards issued on the account.

6. On or about November 16, 2011, **JASON K. BAILEY** registered the fictitious name Addison Mizner Associates with the Florida Department of State, listing himself as the owner of the fictitious name.

7. On or about September 11, 2012, **JASON K. BAILEY** opened bank account xxxx4805 at TD Bank in the name of Addison Mizner Associates, with the defendant as the only signatory of said account.

8. To obtain payment for treatment or services provided to a beneficiary, physicians, medical clinics, and other health care providers had to submit itemized claim forms to the various beneficiaries' commercial insurance plans. The claim forms were typically submitted electronically via the Internet.

9. The insurance carriers in turn often made payments directly to physicians, medical clinics, or other health care providers, rather than to the beneficiary who received the health care benefits, items, and services. This occurred when the provider accepted assignment of the right to payment from the beneficiary. The insurance carriers made these reimbursement payments

either by mailing a paper check via the US Postal Service or private or commercial interstate carriers or through the electronic transfer of money to the provider's designated bank account.

COUNTS 1-10
Mail Fraud
(18 U.S.C. §1341)

1. Paragraphs 1 through 9 of the General Allegations section of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

2. From in or around January 2011, through in or around March 2014, in Miami-Dade and Palm Beach Counties, in the Southern District of Florida, and elsewhere, the defendant,

JASON K. BAILEY,
a/k/a "Jayson Bailey,"

did knowingly and with intent to defraud devise and intend to devise a scheme and artifice to defraud and to obtain money and property from others by mean of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations and promises were false and fraudulent when made, and to knowingly cause to be delivered certain mail matter by the United States Postal Service, according to the directions, thereon, for the purpose of executing the scheme and artifice.

PURPOSE OF THE SCHEME AND ARTIFICE

3. The purpose of the scheme and artifice was for the defendant to unjustly enrich himself by, among other things: (1) submitting claims for medical reimbursement to various insurance carriers; (2) diverting to himself the ensuing insurance payments owed to his employer, Addison Mizner Medical LLC; (3) opening fictitious entities using name(s) that were similar to the victim's corporate entity name; (4) opening bank accounts under these fictitious

name(s) to facilitate the deposit of diverted payments; and (5) converting the proceeds of the diverted insurance payments to his own use and to further the fraud.

MANNER AND MEANS OF THE MAIL FRAUD SCHEME

The manner and means by which the defendant sought to accomplish the purpose and object of the scheme and artifice included, among other things:

4. **JASON K. BAILEY** submitted insurance claim forms to various insurance carriers seeking reimbursement for the provision of medical services by Addison Mizner Medical, LLC to its insured patients.

5. **JASON K. BAILEY** caused the insurance carriers to send via the US Postal Service reimbursement payments in the form of paper checks intended for Addison Mizner Medical, LLC to his own addresses located in Opa Locka, Florida and Miami, Florida.

6. **JASON K. BAILEY** deposited the paper checks into his bank accounts he controlled and converted the funds to his own use and benefit.

USE OF THE MAILS

7. On or about the dates enumerated as to each count below, the defendant, for the purpose of executing and in furtherance of the aforesaid scheme and artifice to defraud and to obtain money and property from others by means of false and fraudulent pretenses, representations, and promises, and attempting to do so, did knowingly cause to be delivered certain mail matter by the US Postal Service, according to the directions thereon, as set forth in each count below:

COUNT	APPROX. DATE	DESCRIPTION OF MAILING
1	1/14/2011	Golden Rule insurance claim payment check #76231759 in the approximate amount of \$337 mailed to Addison Mizner Medical LLC, 3109 Grand Ave., Suite 277, Miami, FL 33133
2	8/03/2011	Golden Rule insurance claim payment check #76825459 in the approximate amount of \$474 mailed to Addison Mizner Medical LLC, 3301 NE 1 st Ave., Ste. H 2308, Miami, FL 33137
3	8/16/2011	Cigna insurance claim payment check #593742186 in the approximate amount of \$672 mailed to Addison Mizner Med LLC, 3301 NE 1 st Ave. #H2308, Miami, FL 33137
4	3/27/2012	Cigna insurance claim payment check #604736557 in the approximate amount of \$649 mailed to Addison Mizner Med LLC, 2290 NW 155 th St., Opa Locka, FL 33054
5	4/24/2012	Golden Rule insurance claim payment check #77911857 in the approximate amount of \$629 mailed to Addison Mizner Medical LLC, 2290 NW 155 th St., Opa Locka, FL 33054
6	4/15/2013	TRICARE Humana Military insurance claim payment check #10722433 in the approximate amount of \$505 mailed to Addison Mizner Medical, 2290 NW 155 th St., Miami, FL 33054
7	7/09/2013	Cigna insurance claim payment check #952318162 in the approximate amount of \$1,083 mailed to Addison Mizner Med LLC, 2290 NW 155 th St., Opa Locka, FL 33054
8	11/27/2013	Aetna Life Insurance claim payment check #33980537 in the approximate amount of \$967 mailed to Addison Mizner Medical, LLC, 2990 SW 30 th Ct., Miami, FL 33133
9	2/12/2014	Aetna Life Insurance claim payment check #34884431 in the approximate amount of \$1,324 mailed to Addison Mizner Medical, LLC, 2990 SW 30 th Ct., Miami, FL 33133
10	2/19/2014	Aetna Life Insurance claim payment check #34973062 in the approximate amount of \$937 mailed to Addison Mizner Medical, LLC, 2990 SW 30 th Ct., Miami, FL 33133

In violation of Title 18, United States Code, Sections 1341 and 2.

COUNTS 11 -15

**Wire Fraud
(18 U.S.C. §1343)**

1. Paragraphs 1 through 9 of the General Allegations section of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

2. From in or around August 2013, through in or around March 2014, in Miami-Dade and Palm Beach Counties, in the Southern District of Florida, and elsewhere, the defendant,

**JASON K. BAILEY,
a/k/a "Jayson Bailey,"**

did knowingly and with intent to defraud devise and intend to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and did knowingly transmit and cause to be transmitted, by means of wire communication in interstate commerce, writings, signs, signals, pictures and sounds, for the purpose of executing such scheme and artifice to defraud.

PURPOSE OF THE SCHEME AND ARTIFICE

3. It was the purpose of the scheme and artifice for the defendant to unlawfully enrich himself by, among other things: (1) submitting false and fraudulent electronic funds transfer documents to insurance companies, thereby inducing the insurance companies to send insurance reimbursement payments to the defendant instead of to the victim; (2) forging the victim's signature on payment authorization forms; and (3) diverting fraud proceeds for his personal use and benefit, and to further the fraud scheme.

MANNER AND MEANS OF THE WIRE FRAUD SCHEME

The manner and means by which the defendant sought to accomplish the object and purpose of the scheme and artifice included, among others, the following:

4. On or about August 14, 2013, **JASON K. BAILEY** signed the name of R.M., without the knowledge or consent of R.M., on an Electronic Funds Transfer request form and sent the false and fraudulent form to Aetna Life Insurance, causing all future Aetna and Coventry Health Care of Florida, Inc. insurance reimbursement payments meant for Addison Mizner Medical, LLC to be sent or electronically deposited into TD bank account xxxx7445, which **BAILEY** controlled.

5. When Aetna and Coventry Health Care of Florida, Inc. funds were thereafter deposited into the TD Bank account xxxx7445, **JASON K. BAILEY** diverted the proceeds for his own personal use and benefit.

USE OF THE WIRES

6. On or about the dates specified as to each count below, for the purpose of executing and in furtherance of the aforesaid scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, the defendant set forth did knowingly transmit and cause to be transmitted in interstate commerce, by means of wire communication, certain writings, signs, signals, pictures, and sounds, as set forth in each count below:

COUNT	APPROX. DATE	DESCRIPTION OF WIRE COMMUNICATION
11	12/12/2013	Electronic fund transfer #271116372 in the approximate amount of \$506 from the bank account of Coventry Health Care of Florida, Inc. in Delaware, to the bank account of Managed Care Consortium Corp. in Florida
12	12/16/2013	Electronic fund transfer #27537399 in the approximate amount of \$241 from the bank account of Coventry Health Care of Florida, Inc. in Delaware, to the bank account of Managed Care Consortium Corp. in Florida
13	12/23/2013	Electronic fund transfer #271119101 in the approximate amount of \$446 from the bank account of Coventry Health Care of Florida, Inc. in Delaware, to the bank account of Managed Care Consortium Corp. in Florida
14	1/21/2014	Electronic fund transfer #27542021 in the approximate amount of \$581 from the bank account of Coventry Health Care of Florida, Inc. in Delaware, to the bank account of Managed Care Consortium Corp. in Florida
15	1/27/2014	Electronic fund transfer #271127558 in the approximate amount of \$268 from the bank account of Coventry Health Care of Florida, Inc. in Delaware, to the bank account of Managed Care Consortium Corp. in Florida

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNT 16
Aggravated Identity Theft
(18 U.S.C. §1028A)

1. Paragraphs 1 through 9 of the General Allegations section of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

2. On or about August 14, 2013, in Miami-Dade and Palm Beach Counties, in the Southern District of Florida, and elsewhere, the defendant,

JASON K. BAILEY,
a/k/a "Jayson Bailey,"

during and in relation to a felony violation of Title 18, United States Code, Section 1343, that is, Wire Fraud, as charged in Counts 11 through 15 of this Indictment, did knowingly transfer, possess and use, without lawful authority, the means of identification of another person, that is the name of "R.M.," in violation of Title 18, United States Code, Section 1028A(a)(1).

FORFEITURE
(18 U.S.C. § 982)(a)(7))

1. The allegations contained in this Indictment are re-alleged and incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **JASON K. BAILEY, a/k/a "Jayson Bailey"** has an interest.

2. Upon conviction of any violation of Title 18, United States Code, Sections 1341 or 1343, as alleged in Counts 1 through 15 of this Indictment, the defendant shall forfeit to the United States all of his right, title, and interest in any property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of such violations, pursuant to Title 18, United States Code, Section 982(a)(7).

3. The property subject to forfeiture includes, but is not limited to, the following:

(a) the sum of \$324,311 in United States currency, which amount is equal to the gross proceeds traceable to the commission of the violations alleged in this Indictment, which the United States will seek as a forfeiture money judgment as part of the defendant's sentence.

4. If the property described above as being subject to forfeiture, as a result of any act or omission of the defendant,

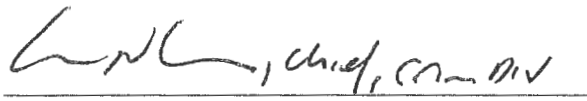
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property and, in addition, to seek a court order requiring the defendant to return any such property to the jurisdiction of the court for seizure and forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(7); and the procedures set forth at Title 21, United States Code, Section 853, as made applicable by Title 18, United States Code, Section 982(b)(1).

A TRUE BILL

FOREPERSON

WAF


WIFREDO A. FERRER
UNITED STATES ATTORNEY



CHRISTOPHER J. CLARK
ASSISTANT UNITED STATES ATTORNEY