

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 15-
 :
 v. :
 :
 PARESH PATEL : 42 U.S.C. § 1320a-7b(b) (1) (A)

I N F O R M A T I O N

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information:

a. Defendant PARESH PATEL was an internal medicine physician with a practice in Jamesburg, New Jersey.

b. Defendant PARESH PATEL used a Morris County, New Jersey-based mobile diagnostic testing company ("Company 1") for his patient's diagnostic testing including EKGs, ultrasounds, and nerve conduction studies.

c. The diagnostic tests performed by Company 1 were performed at Defendant PARESH PATEL's office in Jamesburg, New Jersey.

2. From at least as early as September 2009 through at least December 2013, defendant PARESH PATEL received regular kickbacks and bribes from Company 1 in exchange for PARESH PATEL's use of Company 1 for his patients' mobile diagnostic testing needs

(the "Kickback Scheme"). In an attempt to conceal the illegal nature of the payments, the kickbacks and bribes were paid directly from Company 1 to the government entities that collected property taxes for PARESH PATEL's personal residence and the property at which PARESH PATEL's medical practice was located. In addition, other kickbacks and bribes were paid directly from Company 1 to a contractor performing renovations on PARESH PATEL's personal residence.

3. The Medicare Program ("Medicare") is a federal program that provides free or below-cost health care benefits to certain individuals, primarily the elderly, blind, and disabled. Medicare is a "Federal health care program" as defined in Title 42, United States Code, Section 1320a-7b(f). Individuals who receive benefits under Medicare are commonly referred to as "beneficiaries."

4. The Medicare Part B program is a federally funded supplemental insurance program that provides supplementary Medicare insurance benefits for individuals aged sixty-five or older, and certain individuals who are disabled. The Medicare Part B program pays for various medical services for beneficiaries, including diagnostic testing.

5. At all times relevant to this Information, Company 1 was an approved Medicare provider of, among other things, mobile diagnostic testing.

6. From at least as early as September 2009 through

at least December 2013, pursuant to the Kickback Scheme, defendant PARESH PATEL received indirect remuneration in the form of having his property tax obligations and personal renovation expenses paid directly by Company 1 in exchange for PARESH PATEL referring his patients' mobile diagnostic testing services to Company 1.

7. As only one example, on or about May 24, 2011, pursuant to the Kickback Scheme, Company 1 paid a contractor performing renovation services at defendant PARESH PATEL's home \$20,220 for PARESH PATEL having referred his patients to Company 1. Among those patients were patients insured by Medicare.

8. As a result of the Kickback Scheme, PARESH PATEL referred numerous patients to Company 1 for services, for which Company 1 was paid more than \$165,000 by Medicare, in addition to hundreds of thousands of dollars from other insurers.

9. From at least as early as September 2009 through at least December 2013, in the District of New Jersey, and elsewhere, defendant

PARESH PATEL

did knowingly and willfully solicit and receive remuneration, directly and indirectly, overtly and covertly, in cash and in kind, that is, kickbacks and bribes from Company 1, in return for referring patients to Company 1 for the furnishing and arranging for the furnishing of items and services, that is, mobile diagnostic testing, for which payment may be made in whole or in part under a Federal health care program, namely Medicare.

In violation of Title 42, United States Code, Section 1320a-7b(b) (1) (A) .

FORFEITURE ALLEGATION

1. As the result of committing the Federal health care offense as defined in 18 U.S.C. § 24 alleged in this Information, defendant PARESH PATEL shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(7), all property, real and personal, that constitutes or is derived, directly and indirectly, from gross proceeds traceable to the commission of the conspiracy to violate 42 U.S.C. § 1320a-7b(b)(1)(A), including but not limited to, a forfeiture money judgment in the amount of \$174,188.37, representing all property constituting or derived from gross proceeds traceable to the said conspiracy offense.

Substitute Assets Provision

2. If any of the above-described forfeitable property, 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 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), to seek forfeiture of any other

property of said defendant up to the value of the above forfeitable property.

A handwritten signature in blue ink that reads "Paul J. Fishman". The signature is written in a cursive style with a long horizontal flourish extending to the right.

PAUL J. FISHMAN
UNITED STATES ATTORNEY

CASE NUMBER:

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UNITED STATES OF AMERICA

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INFORMATION FOR

42 U.S.C. §§ 1320A-7b(b)(1)(A)

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