

## Press Release

### MIAMI-AREA PATIENT RECRUITER PLEADS GUILTY IN \$25 MILLION HEALTH CARE FRAUD SCHEME

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November 8, 2011

#### FOR IMMEDIATE RELEASE

A patient recruiter of a Miami health care agency pleaded guilty yesterday for her participation in a \$25 million home health Medicare fraud scheme, announced the Department of Justice, the FBI and the Department of Health and Human Services (HHS).

**Beatriz Torres-Cruz**, 50, pleaded guilty before U.S. District Judge Joan A. Lenard in Miami to one count of conspiracy to commit health care fraud and one count of solicitation of health care kickbacks. Torres-Cruz was charged in a February 2011 indictment. According to plea documents, Torres-Cruz was a patient recruiter for Florida Home Health Providers Inc., a Miami home health care agency that purported to provide home health and physical therapy services to Medicare beneficiaries. According to court documents, Florida Home Health billed the Medicare program for expensive physical therapy and home health care services that were medically unnecessary and/or never provided. Court documents allege that the medically unnecessary services were prescribed by doctors, including Jose Nunez, M.D. Nunez was also charged in the February 2011 indictment along with Torres-Cruz and 19 other co-conspirators.

Torres-Cruz admitted that, beginning in approximately January 2006 and continuing until approximately March 2009, she, along with co-defendants, offered and paid kickbacks and bribes to Medicare beneficiaries in return for those beneficiaries allowing Florida Home Health to bill Medicare for services that were medically unnecessary and/or never provided. Torres-Cruz solicited and received kickbacks and bribes from the owners and operators of Florida Home Health in return for her patient recruiting. Torres-Cruz knew that the patients she recruited for Florida Home Health did not qualify for the services billed to Medicare.

As a result of Torres-Cruz's participation in the illegal scheme, Medicare was billed approximately \$195,000 for purported home health care services that were not medically necessary and/or were not rendered.

Seventeen other co-conspirators have pleaded guilty for their roles in the fraud scheme, including Dr. Nunez.

Sentencing has been scheduled for Jan. 30, 2012.

The charge of conspiracy to commit health care fraud carries a maximum prison sentence of 10 years and the charge of solicitation of health care kickbacks carries a maximum prison sentence of five years. The defendant also face fines and terms of supervised release, as well as forfeiture of any property or proceeds derived from her criminal activities.

Today's charges were announced by U.S. Attorney Wifredo A. Ferrer of the Southern District of Florida; Assistant Attorney General Lanny A. Breuer of the Criminal Division; John V. Gillies, Special Agent-in-Charge of the FBI's Miami field office; and Special Agent-in-Charge Christopher Dennis of the HHS Office of Inspector General (HHS-OIG), Office of Investigations Miami office.

This case is being prosecuted by Trial Attorneys Joseph S. Beemsterboer and Jonathan Baum of the Criminal Division's Fraud Section. The case was investigated by the FBI and HHS-OIG, and was brought as part of the Medicare Fraud Strike Force, supervised by the Criminal Division's Fraud

Section and the U.S. Attorney's Office for the Southern District of Miami.

Since their inception in March 2007, Medicare Fraud Strike Force operations in nine locations have charged more than 1,140 defendants who collectively have falsely billed the Medicare program for more than \$2.9 billion. In addition, the HHS Centers for Medicare and Medicaid Services, working in conjunction with the HHS-OIG, are taking steps to increase accountability and decrease the presence of fraudulent providers.

To learn more about the Health Care Fraud Prevention and Enforcement Action Team (HEAT), go to: [www.stopmedicarefraud.gov](http://www.stopmedicarefraud.gov).

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at <http://www.usdoj.gov/usao/fls>. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at <http://www.flsd.uscourts.gov> or on <http://pacer.flsd.uscourts.gov>.

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