



PRESS NOTICE

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November 6, 2009

FOR IMMEDIATE RELEASE

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COLUMBIA BROTHERS BARRED FROM **BILLING FEDERAL HEALTH CARE PROGRAMS**

Happy Teeth Dental Clinic Submitted False Medicaid Claims

Columbia, South Carolina ---- United States Attorney W. Walter Wilkins stated today that Michael Ian Gibson and Richard James Gibson, both of Columbia, and their company Happy Teeth, LLC, have agreed pay the government \$82,256 and have further agreed to be excluded from participation in any federal health care program for a period of 25 years. This agreement settles allegations by the government that the Gibson brothers and Happy Teeth submitted Medicaid claims for services performed by dentist Angela Bailey McFadden, despite knowing she was barred as a Medicaid-authorized provider for failing to repay her federal student loans.

The Gibson brothers operate the Club Level nightclub on Main Street in Columbia, and are not dentists. They opened Happy Teeth at 2700 Broad River Road in June 2008. The Medicaid claims for Dr. McFadden's dental services were submitted under another dentist's name. South Carolina Medicaid immediately suspended payment to Happy Teeth when it was notified of the billing scheme. Federal agents searched the clinic in September 2008, and it was closed down soon afterwards. Dr. McFadden and Karen Watson, Happy Teeth's administrator and office manager, were both criminally prosecuted for their part in the scheme and received probation.

The United States initiated the investigation in response to a *qui tam* or whistleblower action brought by a former employee of Happy Teeth. Such actions can be filed by whistleblowers on behalf of the United States. Under the *qui tam* statute, the whistleblower who files a lawsuit bringing allegations of fraud committed against the government may be entitled to a share of the proceeds recovered by the suit and attorney fees. These cases are initially filed under seal to allow the government to investigate the allegations. The government may intervene and prosecute the case or decline and allow the whistleblower to pursue the case. Because the government intervened and settled this case, the whistleblower will receive approximately \$15,000 of the settlement amount.

Mr. Wilkins stated, "All health care providers have the responsibility not to bill any federal program or federally-funded program for the services provided by employees who are on the excluded list."

The case was investigated by Special Agent Chris Lott of the U.S. Department of Health and Human Services, Office of Inspector General and Investigator Jay Evans of the South Carolina Medicaid Fraud Control Unit. Assistant United States Attorneys Jennifer Aldrich and Fran Trapp handled the case for the government.

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