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CHICAGO AREA SURGEON SENTENCED TO 10 MONTHS IN CUSTODY FOR MAKING FALSE STATEMENTS ABOUT SERVICES AND MEDICARE BENEFITS

CHICAGO — A Chicago area vascular and thoracic surgeon was sentenced today to 10 months in federal custody after being convicted at trial of making false statements in post-operation reports relating to health care services and Medicare benefits. The defendant, DR. JOHN NATALE, was found guilty following a week-long trial in May of two counts of making false statements by a jury that also acquitted him of two counts of health care fraud and one count of mail fraud for allegedly defrauding Medicare.

Natale, 63, of South Barrington, was ordered to begin serving his sentence on Nov. 1 by U.S. District Judge Rebecca Pallmeyer, who also imposed a fine of \$40,000 and periods of community service during one year of supervised release after incarceration.

“The goal here was to collect more than he [Natale] otherwise would have been entitled,” Judge Pallmeyer said in determining that there was an intended loss to Medicare of at least \$10,000. Natale faced a maximum sentence of five years in prison and a federal sentencing guideline range of 15 to 21 months after Judge Pallmeyer also found that Natale had obstructed justice while testifying in his own behalf at trial.

Natale specialized in repairing abdominal aortic aneurysms, which is a weakening of the artery, and the trial focused on six surgeries he performed in 2003 and 2004 on patients at Northwest Community Hospital in Arlington Heights. Natale later operated at Swedish Covenant Hospital in Chicago, according to his trial testimony.

Northwest Community Hospital medical officials, who also testified at trial, cooperated with the government's investigation.

The evidence at trial showed, and the jury found, that for at least two patients in 2004, Natale prepared false post-operation reports that, among other things, contained extensive details about aneurysm repairs that he never performed, and falsely described the surgeries he did perform as being more complex and elaborate than they actually were. In the case of one patient whose medical condition deteriorated a year after Natale operated, another surgeon testified that he had to untangle the falsehoods in Natale's records, which, if relied upon, would have had a serious impact on his subsequent treatment of that patient.

The government was represented by Assistant U.S. Attorney Amarjeet Bhachu.

The sentence was announced by Gary S. Shapiro, Acting United States Attorney for the Northern District of Illinois; Lamont Pugh III, Special Agent-in-Charge of the Chicago Region of the U.S. Department of Health and Human Services Office of Inspector General; and Thomas P. Brady, Inspector-in-Charge of the Chicago Office of the U.S. Postal Inspection Service.

The investigation was conducted by the Medicare Fraud Strike Force, which expanded to Chicago in 2011, and is part of the Health Care Fraud Prevention & Enforcement Action Team (HEAT), a joint initiative between the Justice Department and HHS to focus their efforts to prevent and deter fraud and enforce anti-fraud laws around the country.

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