

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
 :
 v. : Crim. No. 10-
 :
 FAWZI SALEH : 18 U.S.C. §§ 1347 and 2

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 FAWZI SALEH was a resident of New Jersey; an employee and retiree of the Veterans Administration Medical Center in East Orange, New Jersey; and a subscriber to the Federal Employees' Health Benefits Program ("FEHBP").

b. Under the FEHBP, health insurance was provided to subscribers by a private company (the "Company").

c. FEHBP was a "health care benefit plan" as defined in Title 18, United States Code, Section 24.

d. FEHBP would pay a portion of the direct costs for medical treatment incurred by subscribers in foreign countries. Under one available process, the subscriber would receive medical treatment in a foreign country, pay the health care provider directly, and then file a claim for reimbursement with the Company. According to the Company's policy, claims for

reimbursement were required to include receipts or invoices from the health care provider. The Company, after reviewing the claim, would then reimburse the subscriber directly for some portion of the costs incurred by the subscriber. Thereafter, FEHBP would reimburse the Company.

2. From in or about June 2001 through in or about June 2009, in Middlesex and Essex Counties, in the District of New Jersey, and elsewhere, defendant

FAWZI SALEH

knowingly and willfully executed, and attempted to execute, a scheme and artifice to defraud a health care benefits program and to obtain, by means of false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, a health care benefits program, in connection with the delivery of and payment for health care benefits, items, and services, which scheme and artifice was in substance and in part as set forth below.

Object of the Scheme and Artifice to Defraud

3. It was the object of the scheme and artifice to defraud for defendant FAWZI SALEH to obtain money from the Company for personal gain by causing the Company to issue checks to defendant FAWZI SALEH in response to false and fraudulent claims for reimbursement that defendant FAWZI SALEH submitted to the Company.

Manner and Means of the Scheme and Artifice to Defraud

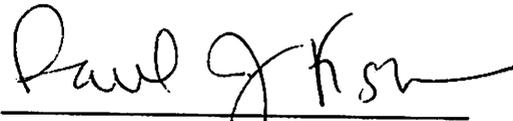
4. It was part of the scheme and artifice to defraud that defendant FAWZI SALEH caused to be sent, by facsimile, numerous false and fraudulent claims for reimbursement for medical costs to the Company. In the claims, defendant FAWZI SALEH alleged that he and his wife, A.S., had received medical care at MIS Hospital in Cairo, Egypt on numerous occasions between June 2000 and October 2008.

5. It was further part of the scheme and artifice to defraud that defendant FAWZI SALEH further attached to the claims false and fraudulent supporting documents that purported to be invoices and reports from MIS Hospital.

6. It was further part of the scheme and artifice to defraud that, in the claims, defendant FAWZI SALEH falsely stated that he and A.S. had paid for this medical care in cash, and requested reimbursement from the Company for their cash outlays.

7. It was further part of the scheme and artifice to defraud that the Company received the claims for reimbursement submitted by defendant FAWZI SALEH, and not realizing they were false and fraudulent, issued checks to defendant FAWZI SALEH to reimburse him for portions of the purported medical expenses.

In violation of Title 18, United States Code, Sections
1347 and Section 2.

A handwritten signature in cursive script, appearing to read "Paul J. Fishman", written in black ink.

PAUL J. FISHMAN
United States Attorney

CASE NUMBER: 10-

**United States District Court
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UNITED STATES OF AMERICA

v.

FAWZI SALEH

**INFORMATION FOR
18 U.S.C. §§ 1347 and 2**

PAUL J. FISHMAN

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