

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
 :
 v. : Criminal No. 11-
 :
 YOUSUF MASOOD : 18 U.S.C. § 1349

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:

THE DEFENDANT AND OTHER PARTIES

1. At all times relevant to this Information:

a. Defendant YOUSUF MASOOD was a doctor specializing in Internal Medicine and licensed to practice in the State of New Jersey, with a medical practice located at 701 Newark Avenue, Suite 101 in Elizabeth, New Jersey (herein referred to as the "Newark Avenue Office"). A significant portion of patients treated at the Newark Avenue Office were beneficiaries of Medicaid or Medicare.

b. Beginning at least as early as in or about July 2009, Maruk Masood was the wife of defendant YOUSUF MASOOD and worked in the capacity of office manager of the Newark Avenue Office. In this capacity, Maruk Masood was intimately involved in the hiring of employees for the Newark Avenue Office, the

coordination of patient care (e.g., managing the Newark Avenue Office's patient appointment schedule and assigning care providers to examine patients), and the submission of billing to Medicaid and Medicare. At no time did Maruk Masood hold any medical license in the State of New Jersey.

c. Beginning at least as early as in or about July 2009, Hamid Bhatti was employed by defendant **YOUSUF MASOOD** and Maruk Masood at the Newark Avenue Office. At no time did Hamid Bhatti hold any medical license in the State of New Jersey, nor was Hamid Bhatti qualified to hold such a license.

d. Beginning at least as early as in or about July 2009, Carlos Quijada was employed by defendant **YOUSUF MASOOD** and Maruk Masood at the Newark Avenue Office. At no time did Carlos Quijada hold any medical license in the State of New Jersey, nor was Carlos Quijada qualified to hold such a license.

e. Beginning at least as early as in or about November 2009, Hakim Muta Muhammad was employed by defendant **YOUSUF MASOOD** and Maruk Masood at the Newark Avenue Office. At no time did Hakim Muta Muhammad hold any medical license in the State of New Jersey, nor was Hakim Muta Muhammad qualified to hold such a license.

THE MEDICAID & MEDICARE PROGRAMS AND BILLING PROCEDURES

2. Medicaid is a jointly funded, Federal-State health insurance program that provides certain health benefits to the disabled, as well as to individuals and families with low incomes and resources. Medicaid was created on July 30, 1965, through Title XIX of the Social Security Act. See Title 42, United States Code, Section 1396 *et seq.* In New Jersey, the Medicaid Program is administered by the New Jersey Department of Human Services, and is funded with approximately 50% Federal monies. The remaining 50% is paid by the State.

3. Providers apply to participate in the Medicaid program in New Jersey through the state's fiscal agent, Unisys Corporation. Unisys Corporation is a private company that acts as a third-party administrator - it receives and processes the bills for medical services for beneficiaries; however, the money to pay for such services originates from and belongs to the State of New Jersey and the Federal Government (which provides matching funds to the State under the Medicaid Program). Upon acceptance into New Jersey's Medicaid program, providers are assigned a unique provider identification number (provider number) by the fiscal agent. Only providers who have been assigned a provider number can be reimbursed by the Medicaid program. The procedure and units of service are material elements on the claim form because they determine the reimbursement to the provider.

Defendant YOUSUF MASOOD had a provider number associated with the New Jersey Medicaid program. Maruk Masood, Hamid Bhatti, Carlos Quijada, and Hakim Muta Muhammad did not have a New Jersey Medicaid provider number. Maruk Masood, Hamid Bhatti, Carlos Quijada, and Hakim Muta Muhammad were, in fact, not eligible to receive a Medicaid provider number, as they were not licensed medical professionals in the State of New Jersey and were not qualified to obtain such a license.

4. If the medical service provided is a service that must, pursuant to New Jersey State law, be rendered by a licensed or certified individual, then New Jersey regulations require that a current valid license be held by the individual providing the services in order to be reimbursed by Medicaid for the provision of those services.

5. Medicare is a Federal insurance program that provides health insurance coverage for people age 65 and older, and for certain disabled people as well. The United States Department of Health and Human Services (HHS) is responsible for the administration of the Medicare program. The Centers for Medicare and Medicaid Services (CMS) is the component agency of HHS that administers and supervises the Medicare program.

6. Providers of medical services who desire to participate in Medicare are given a provider number, by which their billings are differentiated from other providers such as physicians,

hospitals, and other facilities. Defendant YOUSUF MASOOD had a provider number associated with the Medicare program. Maruk Masood, Hamid Bhatti, Carlos Quijada, and Hakim Muta Muhammad did not have a Medicare provider number. In fact, Maruk Masood, Hamid Bhatti, Carlos Quijada, and Hakim Muta Muhammad were not eligible to receive a Medicare provider number, as they were not licensed medical professionals in the State of New Jersey and were not qualified to obtain such a license.

THE CONSPIRACY

7. From in or about July 2009 to in or about September 2010, in Union County, in the District of New Jersey, and elsewhere, defendant

YOUSUF MASOOD

did knowingly and willfully conspire and agree with others to devise a scheme and artifice (1) to defraud a health care benefit program, and (2) 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 benefit program, in connection with the delivery of and payment for health care benefits, items, and services, contrary to Title 18, United States Code, Section 1347.

OBJECT OF THE CONSPIRACY

8. The object of the conspiracy was for defendant YOUSUF MASOOD, Maruk Masood, Hamid Bhatti, Carlos Quijada, Hakim Muta

Muhammad, and others to fraudulently obtain hundreds of thousands of dollars from the Medicaid and Medicare programs by falsely claiming that health care services had been provided by defendant YOUSUF MASOOD when, in fact, those services had been provided by Hamid Bhatti, Carlos Quijada, or Hakim Muta Muhammad, who were not licensed or qualified to do so.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which defendant YOUSUF MASOOD, Maruk Masood, Hamid Bhatti, Carlos Quijada, Hakim Muta Muhammad and others sought to accomplish the object of the conspiracy included, among other things, the following:

9. It was part of the conspiracy that defendant YOUSUF MASOOD, Maruk Masood, Hamid Bhatti, Carlos Quijada, and Hakim Muta Muhammad represented and held out to patients that Hamid Bhatti, Carlos Quijada, and Hakim Muta Muhammad were doctors authorized to practice medicine in the State of New Jersey.

10. It was further part of the conspiracy that Hamid Bhatti, Carlos Quijada, and Hakim Muta Muhammad actually diagnosed and treated patients at the Newark Avenue Office.

11. It was further part of the conspiracy that defendant YOUSUF MASOOD, Maruk Masood, and others paid Hamid Bhatti, Carlos Quijada, and Hakim Muta Muhammad an hourly wage - as low as \$10 per hour - for their work diagnosing and treating patients at the Newark Avenue Office.

12. It was further part of the conspiracy that defendant **YOUSUF MASOOD**, Maruk Masood, and others falsely and fraudulently billed Medicaid and Medicare for services supposedly provided by defendant **YOUSUF MASOOD** or in his immediate presence when, in truth, defendant **YOUSUF MASOOD** essentially played no role in the provision of these services, but rather they were provided by his unlicensed and unqualified employees - Hamid Bhatti, Carlos Quijada, or Hakim Muta Muhammad.

13. In this fashion, defendant **YOUSUF MASOOD**, Maruk Masood, and others falsely and fraudulently billed Medicaid and Medicare for more than 20,000 patient visits supposedly provided by defendant **YOUSUF MASOOD**, when in fact they were provided by his unlicensed and unqualified employees - Hamid Bhatti, Carlos Quijada, or Hakim Muta Muhammad.

In violation of Title 18, United States Code, Section 1349.

FORFEITURE ALLEGATIONS


1. The allegations contained in all preceding paragraphs of this Information are incorporated herein by reference for the purpose of noticing forfeitures pursuant to Title 18, United States Code, Section 982(a)(7).

2. The United States hereby gives notice to defendant **YOUSUF MASOOD** that, upon conviction of an offense contrary to Title 18, United States Code, Section 1347, in violation of Title 18, United States Code, Section 1349, as charged in this Information, defendant **YOUSUF MASOOD** will forfeit, in accordance with Title 18, United States Code, Section 982(a)(7), any and all property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the offense, including but not limited to a sum of money equal to at least \$929,772.91 in United States currency.

3. If by any act or omission of the defendant, any of the property subject to forfeiture described in paragraph 2 herein:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party,
- 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,

the United States of America will be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982.


PAUL J. FISHMAN
United States Attorney