



*United States Attorney
Southern District of New York*

FOR IMMEDIATE RELEASE
JANUARY 21, 2010

CONTACT: U.S. ATTORNEY'S OFFICE
YUSILL SCRIBNER,
REBEKAH CARMICHAEL,
JANICE OH
PUBLIC INFORMATION OFFICE
(212) 637-2600

**PODIATRIST AGREES TO PAY OVER \$1 MILLION
TO SETTLE FALSE CLAIMS ACT LAWSUIT**

PREET BHARARA, the United States Attorney for the Southern District of New York, and TOM O'DONNELL, the Special Agent-in-Charge of the New York Regional Office of the United States Department of Health and Human Services Office of Inspector General ("HHS-OIG"), announced today that the United States has settled a civil lawsuit against STEPHEN E. GINSBERG for having submitted false claims to Medicare for reimbursement in connection with podiatric services. The settlement, approved today in federal court in Manhattan by United States District Judge SIDNEY H. STEIN, requires GINSBERG to pay \$1,014,952.78 in civil damages under the False Claims Act.

GINSBERG is a podiatrist who performed podiatric procedures on Medicare patients in the Bronx and Queens. On December 11, 2008, GINSBERG pleaded guilty to, among other things, defrauding Medicare through submission of false and fraudulent claims for purported podiatric services, in violation of federal law. In a subsequent civil lawsuit, the Government charged that, from July 2003 through October 2008, GINSBERG violated the False Claims Act by falsely billing Medicare for services, such as chemical cauterization procedures, incision and drainage procedures, nerve conduction studies, X-rays and interpretation, and debridement and avulsion procedures, all of which were never performed. In addition, GINSBERG falsified medical records by falsely documenting he had performed certain services that were not rendered. As a result of his misrepresentations regarding the true nature of the podiatric services he provided, GINSBERG sought and received reimbursements from Medicare in amounts that substantially exceeded the allowance, if any, for the services that were actually provided.

Mr. BHARARA praised the investigative work the HHS-OIG.

Assistant United States Attorney REBECCA C. MARTIN is in charge of the case.