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**FORMER OWNER OF COSMETIC SURGERY CLINIC SENTENCED
IN MANHATTAN FEDERAL COURT TO 10 YEARS IN PRISON
FOR HEALTHCARE FRAUD**

PREET BHARARA, the United States Attorney for the Southern District of New York, announced that ARTHUR KISSEL, a/k/a "Arthur Froom," was sentenced today in Manhattan federal court to 10 years in prison for healthcare fraud offenses. KISSEL and his wife and co-conspirator SONIA LaFONTAINE, neither of whom were doctors, engaged in a series of fraudulent practices out of their Manhattan cosmetic surgery clinic. In one incident, a patient at KISSEL's clinic died during a liposuction procedure in 1998. KISSEL, who was in Canada at the time of his indictment in 1998, fought extradition proceedings and was finally brought to the United States in 2008. He pled guilty in September 2009. The sentence was imposed by Judge DENNY CHIN, who presided over the case as a District Judge before being elevated to the U.S. Court of Appeals for the Second Circuit.

Manhattan U.S. Attorney PREET BHARARA said: "The fraudulent practices of Arthur Kissel were literally lethal for at least one of his clients. This case serves as a reminder that we will pursue those who commit health care fraud no matter how long it takes to bring them to justice. We will continue to work with our partners at the FBI and USPIIS to stop individuals who cheat the health care system and endanger the lives of the innocent."

According to the Indictment, the evidence at the 2000 criminal trial of LaFONTAINE, the evidence at the 2003 civil wrongful death trial of *Brown v. LaFontaine-Rish Medical Associates, et al.*, other documents filed in the criminal case, and statements made during KISSEL's guilty plea and sentencing:

KISSEL and LaFONTAINE owned and operated LaFontaine-Rish Medical Associates (LRMA), a cosmetic surgery clinic located at 315 West 57th Street in Manhattan. Neither were physicians, and neither was licensed in any state to perform medical

procedures. LaFONTAINE and KISSEL, along with several co-conspirators including doctors who worked at LRMA, engaged in four different types of fraud at the clinic:

- LaFONTAINE performed procedures which were billed as if they had been performed by licensed physicians.
- LRMA billed cosmetic procedures as medically necessary procedures so that health insurance companies would be duped into paying for them.
- KISSEL and LaFONTAINE submitted claims to health insurance companies for procedures that were never performed.
- KISSEL and LaFONTAINE exaggerated insurance claims by increasing the number and complexity of procedures.

KISSEL and LaFONTAINE were indicted in March 1998 with conspiracy to commit health care fraud. KISSEL was extradited from Canada in 2008 and pled guilty on September 4, 2009.

* * *

In imposing the maximum sentence permitted by law, Judge CHIN rejected KISSEL's claims of "ignorance and dumbness" and found that he "acted out of greed." He also stated that his crimes "led directly to the death" of JOEL CUNNINGHAM, who died on January 8, 1998, while undergoing an outpatient abdominal liposuction procedure at LRMA. CUNNINGHAM had wanted to become a NYPD police officer, but was too heavy to meet the entrance standards. He decided to have a liposuction procedure at LRMA, which used extensive advertising claiming that it was operated and supervised by a "world renowned surgeon," when in fact it was operated and supervised by KISSEL and LaFONTAINE. Evidence presented at a subsequent wrongful death suit in state court indicated that Cunningham had died of complications from anaesthesia, which had been administered by an LRMA anesthesiologist who was at the time on professional probation due to drug and alcohol abuse.

In addition to the prison term, Judge CHIN sentenced KISSEL, 56, to three years of supervised release and to pay restitution of \$918,209 to the defrauded health care companies.

Mr. BHARARA praised the outstanding investigative efforts of the U.S. Postal Inspection Service and the Federal Bureau of Investigation in this case.

This case is being handled by the Office's Complex Frauds Unit. Assistant U.S. Attorney ROBIN W. MOREY is in charge of the prosecution.