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For Immediate Release

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TEMPLE PHYSICIANS, INC. TO PAY \$132,000 TO RESOLVE ALLEGATIONS OF BILLING FRAUD

PHILADELPHIA - United States Attorney Pat Meehan today announced that Temple Physicians, Inc., affiliated with Temple University in Philadelphia, Pennsylvania, has agreed to pay \$132,000 to resolve civil liabilities in connection with billing of federal healthcare programs for inpatient services. The government alleges that, over a period of years, TPI routinely improperly billed Medicare for services rendered by three TPI employee physicians. The government alleges that TPI billing codes were assigned arbitrarily by non-physician TPI staff, resulting in both "upcoding" and "downcoding," which resulted in TPI submitting bills and statements to Medicare for reimbursement that were false and fraudulent. This caused the federal healthcare program to pay more than it should have for the services rendered.

The government asserts that TPI made false claims for payment to Medicare for inpatient services rendered at Jeanes Hospital in Philadelphia during the period January 1, 2001 through February 15, 2007, by three physicians employed by TPI: Dr. Delfa Dumarán, Dr. Hong Tran, and Dr. Amy Bell. The government alleges that a substantial number of the hospital admissions, and subsequent hospital visits submitted to Medicare for reimbursement by these doctors under their individual physician identification numbers were improperly inflated because the billing codes assigned by the doctors to the claims were not supported by the required documentation in the patient files that would indicate that the individual rendering physician had determined the appropriate billing code – and thus, the appropriate reimbursement amount requested – for the claims. Most of the claims were "upcoded," resulting in the inflated reimbursement requests. TPI had failed to correct the miscoding by these physicians that had occurred over a number of years. TPI cooperated fully with the government's investigation.

The Department of Health and Human Services (HHS) Office of Inspector General (OIG) participated in the United States Attorney's Office investigation and negotiation of the settlement. The United States' investigation included whistle blower allegations brought by Kristin Carlin, a doctor of osteopathic medicine who was employed by TPI in late 2004 and early 2005. Dr. Carlin filed a lawsuit on behalf of the United States under the whistle blower provision of the False Claims Act. Dr. Carlin will receive \$19,800 from the settlement amount.

June 6, 2008

Page 2

Assistant United States Attorney Viveca D. Parker, together with HHS Attorney Christina McGarvey, handled the civil investigation and settlement negotiations. HHS investigative agents, and auditor Allison Barnes of the United States Attorney's Office for the Eastern District of Pennsylvania, contributed significantly to both the investigation and negotiation of the government's claims.

The settlement agreement can be found at www.usdoj.gov/usao/pae.

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