



U.S. Department of Justice

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For Immediate Release

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## **CHIROPRACTOR SENTENCED TO THREE YEARS FOR HEALTH CARE FRAUD**

PHILADELPHIA – Dr. Joseph J. Lerner, 50, of Chalfont, PA, was sentenced today to 36 months in prison for a \$3 million scheme to defraud Independence Blue Cross (“IBC”), Aetna Health Management (“Aetna”), Highmark Blue Shield (“Highmark”) and five other victim insurance companies, announced United States Attorney Zane David Memeger. Lerner, a chiropractor who owned a gym and health club located in Horsham, Pennsylvania, fraudulently billed IBC, Aetna, Highmark and five other victim insurance companies for chiropractic treatments that Dr. Lerner neither provided nor supervised between 2007 and March 2010. Dr. Lerner hired masseuses and personal trainers to work at Horsham Fitness, to provide massages and personal training to gym members whose health insurance Lerner would bill fraudulently for chiropractic services that Lerner never provided. Dr. Lerner suggested to persons seeking to join the gym that they could obtain massages and personal training for the very low price of only a co-payment, usually \$10, by having their health insurance pay for those massages and personal training sessions. Dr. Lerner directed the masseuses and personal trainers to provide massages and personal training to gym members, when Lerner knew that the services were not performed by Lerner or any other licensed medical professional, and knew further that those services were not reimbursable under the terms of the gym members’ health insurance policies. Dr. Lerner prepared fraudulent bills for the Horsham Fitness members, including fictitious procedure codes and false representations of patient symptoms and clinical findings, and submitted those fraudulent bills to the victim insurance companies.

In total, the defendant caused the submission of fraudulent medical bills to the eight victim insurance companies totaling approximately \$3 million, resulting in payments from the victim insurers totaling approximately \$1,932,910.95.

In addition to the prison term, U.S. District Court Judge Cynthia M. Rufe ordered Lerner to pay restitution in the amount of \$1,932,910.95 to Independence Blue Cross, Aetna, Highmark and the other victim insurance companies. The government seized cash and bank accounts totaling \$432,834.12. That money was forfeited and will be paid to the victim insurance companies as part of the restitution.

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The case was investigated by the United States Postal Inspection Service and the Federal Bureau of Investigation and is being prosecuted by Assistant United States Attorneys Mary E. Crawley and Laurie Magid.

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