

FILED  
U. S. DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA  
2024 JUN 14 P 2:56

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

**SECOND SUPERSEDING INDICTMENT FOR  
HEALTH CARE FRAUD, FALSE STATEMENTS,  
AND WIRE FRAUD**

UNITED STATES OF AMERICA	*	CRIMINAL NO. 21-122
	*	
v.	*	SECTION: "M" (3)
	*	
BENJAMIN TEKIPPE	*	VIOLATIONS: 18 U.S.C. § 1347
	*	18 U.S.C. § 1001
	*	18 U.S.C. § 1343
	*	18 U.S.C. § 2
	*	
	*	

The Grand Jury charges that:

**COUNTS 1 – 6**  
(Health Care Fraud)

**A. AT ALL TIMES MATERIAL HEREIN:**

1. The defendant, **BENJAMIN TEKIPPE** ("TEKIPPE"), was a licensed chiropractor in Louisiana and resided in the Eastern District of Louisiana.

2. **TEKIPPE** owned and operated his own chiropractic practice, Oak Tree Chiropractic LLC, doing business as Metairie Chiropractic & Rehab ("Metairie Chiropractic"), a Louisiana limited liability company established in or around January 2015. Metairie Chiropractic was located at 5037 Veterans Memorial Boulevard, Metairie, Louisiana 70006, and consisted of

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two suites: a chiropractic clinic and a massage suite. In or around October 2019, **TEKIPPE** opened a second location of Metairie Chiropractic in New Orleans, Louisiana. Metairie Chiropractic purported to provide chiropractic massages, among other chiropractic services, to patients. **TEKIPPE** held a personal account ending in x7399 at Bank 1.

3. The Louisiana Health Service and Indemnity Company, d/b/a Blue Cross and Blue Shield of Louisiana (“BCBSLA”), was a private health insurance program, affecting commerce, and a “health care benefit program,” as defined by Title 18, United States Code, Section 24(b). Individuals receiving BCBSLA benefits were referred to as “members.”

4. Health care service providers, including physicians and clinics, among others (“providers”), could enroll with BCBSLA and provide services to members.

5. Once enrolled, providers submitted claims for services to BCBSLA requesting reimbursement for the cost of services provided. Claims generally included the patient’s name and identification number and the cost of the services, together with the date and description of the services provided, at least one “diagnosis code,” and the appropriate “procedure code,” as set forth in the Current Procedural Terminology (“CPT”) Manual or the Healthcare Common Procedure Coding System (“HCPCS”).

6. When submitting claims to BCBSLA, providers generally certified that the contents of the forms were true, correct, and complete; the forms were prepared in compliance with laws, regulations, and BCBSLA program rules; and the services purportedly provided, as set forth in the claims, took place, and were medically reasonable and necessary.

7. “SOAP” was an acronym for subjective, objective, assessment, and plan and was a method of documenting a patient visit.

**B. THE SCHEME AND ARTIFICE TO DEFRAUD:**

**TEKIPPE** executed a scheme and artifice to defraud BCBSLA in which he submitted, and caused to be submitted, over \$2.3 million in false and fraudulent claims to BCBSLA for chiropractic services that were ineligible for reimbursement, not provided as represented, or simply not provided, including thousands of false and fraudulent claims for chiropractic services purportedly provided by **TEKIPPE** when he was incarcerated, traveling out of state, out of the country, or otherwise out of the office, and did not provide the services.

**C. PURPOSE OF THE SCHEME:**

The purpose of the scheme and artifice was for **TEKIPPE** to unlawfully enrich himself by:

1. submitting and causing the submission of false and fraudulent claims to BCBSLA;
2. receiving and obtaining reimbursement from BCBSLA based on the false and fraudulent claims submitted;
3. concealing the submission of the false and fraudulent claims to BCBSLA; and
4. diverting the proceeds of the fraud for the personal benefit of himself and others.

**D. MANNER AND MEANS OF THE SCHEME:**

The manner and means by which **TEKIPPE** sought to accomplish the objects and purpose of the scheme included, among others, the following:

1. **TEKIPPE** enrolled as a provider with BCBSLA. In doing so, **TEKIPPE** falsely certified to BCBSLA as part of his enrollment application, and again falsely recertified in December 2017 and May 2020, that he had “[never] been convicted of, or pleaded nolo contendere to . . . a federal or state felony or other criminal charge,” despite having pleaded guilty to a state felony charge in or around 2013. **TEKIPPE** further certified to BCBSLA that, once enrolled, he

would comply with all program rules and regulations and applicable laws, and he received education from BCBSLA on rules and regulations applicable to chiropractic services.

2. Despite the certifications and education, starting in or around February 2017, **TEKIPPE** began soliciting BCBSLA members at schools, public events, including along Mardi Gras parade routes, and on social media, as well as friends, family, and staff members, to visit Metairie Chiropractic and receive chiropractic massages, which he misleadingly advertised were “free” for BCBSLA members, including as available to those who simply “like massages” or “have tension,” regardless of the medical necessity of the massages.

3. When a BCBSLA member visited Metairie Chiropractic to claim the massage, **TEKIPPE** submitted, and caused to be submitted, false and fraudulent claims to BCBSLA requesting reimbursement for multiple services purportedly provided to the member. First, **TEKIPPE** generally billed BCBSLA for the massage provided. To ensure that BCBSLA approved the claim for the massage, **TEKIPPE** falsely billed the massage as a chiropractic massage (CPT code 97124), which was rendered by him personally, when, in fact, it was a personal massage provided by a massage therapist in a separate massage suite, which **TEKIPPE** neither performed nor supervised. Second, **TEKIPPE** typically billed BCBSLA for four or five additional chiropractic services purportedly provided to the individual, including chiropractic manipulation, mechanical traction, and electrical stimulation, which were often not provided, as, in many cases, the individual only wanted and received a massage.

4. **TEKIPPE** further submitted, and caused to be submitted, thousands of false and fraudulent claims for chiropractic services that he purportedly provided when he was, in fact, incarcerated, on vacation, or otherwise out of the office. For example, starting in or around late October 2019, **TEKIPPE** submitted, and caused to be submitted, hundreds of claims for

chiropractic services he purportedly provided to BCBSLA members in September 2019 on dates when he was incarcerated at Whatcom County Detention Center in Bellingham, Washington or in Canada. In another instance, starting in or around November 2019, **TEKIPPE** submitted, and caused to be submitted, hundreds of claims for chiropractic services he purportedly provided to BCBSLA members in October 2019 on dates when he was incarcerated at Coconino County Detention Center in Flagstaff, Arizona.

5. **TEKIPPE** misappropriated BCBSLA member information in the possession of Metairie Chiropractic, including that of his patients and employees, such as name, date of birth, and unique BCBSLA member identification number, in order to falsely and fraudulently bill BCBSLA for chiropractic services **TEKIPPE** never provided, including those he purportedly provided when he was incarcerated.

6. In order to conceal the scheme, in or around August 2019, during a site visit to Metairie Chiropractic by a BCBSLA auditor, **TEKIPPE** intentionally refrained from showing the BCBSLA auditor the separate massage suite of Metairie Chiropractic in order to mislead the BCBSLA auditor into thinking all billed massages took place in the clinic.

7. In or around November 2019, in response to a medical records request from the BCBSLA auditor following the site visit, **TEKIPPE** pressured his massage therapists to fabricate SOAP notes documenting the medical necessity of massages purportedly performed, including for patients they never worked on, for dates that they were not employed, and for massages that never occurred. When massage therapists refused to prepare the SOAP notes, **TEKIPPE** wrote the notes himself and instructed staff members to transcribe the SOAP notes into their handwriting and sign them, in order to make it falsely appear that massage therapists, not **TEKIPPE**, wrote the SOAP notes. **TEKIPPE** then submitted, and caused to be submitted, the fabricated SOAP notes to

BCBSLA in order to conceal the scheme.

8. In order to further conceal the misconduct, in or around November 2019, **TEKIPPE** submitted an application to the Louisiana Board of Chiropractic Examiners to renew his chiropractic license, wherein he falsely answered “no” when asked if he had ever been arrested or convicted of a felony or misdemeanor since his last license renewal.

9. In total, from in or around February 2017 through in or around July 2020, **TEKIPPE** submitted, and caused to be submitted, over \$2.3 million in claims to BCBSLA for chiropractic services that were medically unnecessary, not rendered, or not rendered as represented.

**E. THE OFFENSES:**

Beginning in or around February 2017, and continuing through in or around July 2020, in the Eastern District of Louisiana and elsewhere, the defendant, **BENJAMIN TEKIPPE**, did knowingly and willfully execute, and attempt to execute, a scheme and artifice to defraud BCBSLA, a health care benefit program affecting commerce, within the meaning of Title 18, United States Code, Section 24(b), and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money owned by, and under the custody and control of, BCBSLA, in connection with the delivery of and payment for health care benefits, items, and services.

In order to execute and attempt to execute the scheme to defraud and to obtain money and property, and to accomplish the objects of the scheme, the defendant, **BENJAMIN TEKIPPE**, submitted, caused others to submit, and aided and abetted others in submitting, the following false and fraudulent claims, seeking the identified dollar amounts, and falsely representing that such benefits, items, and services were rendered by **TEKIPPE**, were medically necessary, and were

eligible for BCBSLA reimbursement, with each execution set forth below forming a separate count:

Count	BCBSLA Member	Approx. Claim Submission Date	Description of Purported Service	Purported Date of Service	Approx. Billed Amount
1	C.C.	07/31/2019	Chiropractic manipulation of 3-4 spinal regions	07/08/2019	\$75
2	N.H.	08/16/2019	Chiropractic manipulation of 3-4 spinal regions	07/08/2019	\$75
3	L.C.	08/20/2019	Chiropractic manipulation of 3-4 spinal regions	07/24/2019	\$75
4	L.C.	10/22/2019	Chiropractic manipulation of 3-4 spinal regions	09/11/2019	\$75
5	K.U.	11/04/2019	Chiropractic manipulation of 3-4 spinal regions	10/05/2019	\$75
6	K.U.	12/05/2019	Chiropractic manipulation of 1-2 spinal regions	10/10/2019	\$55

Each of the above is a violation of Title 18, United States Code, Sections 1347 and 2.

**COUNT 7**  
(False Statement)

**A. AT ALL TIMES MATERIAL HEREIN:**

The allegations contained in Parts A through D of Counts 1 through 6 are incorporated by reference as if fully set forth herein.

**B. THE OFFENSE:**

On or about July 22, 2020, in the Eastern District of Louisiana and elsewhere, the defendant, **BENJAMIN TEKIPPE**, did knowingly and willfully make a materially false, fictitious, and fraudulent statement and representation, in a matter within the jurisdiction of the executive branch of the Government of the United States, to Special Agents of the United States Department of Health and Human Services Office of the Inspector General and the Federal Bureau of Investigation, to wit: **TEKIPPE** falsely stated he had never written a massage therapy SOAP

note for a patient, when in fact, as the defendant knew, he had written a massage therapy SOAP note for a patient in or around November 2019, in violation of Title 18, United States Code, Sections 1001(a)(2) and 2.

**COUNT 8**  
(Wire Fraud)

**A. AT ALL TIMES MATERIAL HEREIN:**

1. The allegations contained in Parts A through D of Counts 1 through 6 are incorporated by reference as if fully set forth herein.

**The Unemployment Insurance Program**

2. The Unemployment Insurance (“UI”) Program was a joint federal and state program that provided temporary partial wage replacement to workers who become unemployed through no fault of their own. Each state implemented a UI Program following general guidelines established by federal law.

3. In Louisiana, the UI Program was administered by the Louisiana Workforce Commission. The Louisiana Workforce Commission accepted applications from eligible individuals and contracted with Geographic Solutions, Inc. (“Geographic Solutions”) to process claims and payments for UI benefits. Geographic Solutions was headquartered in Palm Harbor, Florida, and all applications, certifications, and benefit payments were processed through Geographic Solutions’ servers in Florida.

4. Eligible applicants could receive up to \$275 per week in UI benefit payments. Applicants certified that the information provided in their application for UI benefits was true and correct. Applicants were also required to submit weekly certifications concerning their continued eligibility for UI benefits, including reporting wages earned. Applicants were required to stop claiming UI benefits altogether once weekly wages earned exceeded UI benefits received.



5. In March 2020, the Coronavirus Aid, Relief, and Economic Security (“CARES”) Act increased the amount and duration of UI benefits available to eligible participants in response to the COVID-19 pandemic. The Federal Pandemic Unemployment Compensation Program provided an extra \$600 per week in addition to regular benefits between March 29, 2020, and July 25, 2020.

**B. THE SCHEME AND ARTIFICE TO DEFRAUD:**

Beginning at a time unknown, but at least as early as March 27, 2020, and continuing until at least July 20, 2020, in the Eastern District of Louisiana and elsewhere, the defendant, **BENJAMIN TEKIPPE**, devised and intended to devise a scheme and artifice to defraud the Louisiana Workforce Commission, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, by: creating false and fraudulent UI Program applications and certifications; submitting and causing to be submitted the fraudulent UI Program applications to the Louisiana Workforce Commission by interstate wire; and receiving and obtaining payments based on the fraudulent UI Program applications from the Louisiana Workforce Commission by interstate wire.

**C. PURPOSE OF THE SCHEME:**

The purpose of the scheme and artifice was for **TEKIPPE** to unlawfully enrich himself by:

1. submitting and causing the submission of false and fraudulent UI Program applications and certifications to the Louisiana Workforce Commission, including by making false statements and representations about his employment status and lack of income;

2. receiving and obtaining UI benefits from the Louisiana Workforce Commission;

and

3. diverting proceeds of the fraud for the personal benefit of himself and others.

**D. MANNER AND MEANS OF THE SCHEME:**

The manner and means by which **TEKIPPE** sought to accomplish the objects and purpose of the scheme included, among others, the following:

1. On or about March 27, 2020, **TEKIPPE** electronically submitted and caused to be submitted a false and fraudulent application for UI benefits to the Louisiana Workforce Commission. **TEKIPPE** signed the application and certified that the application and all information provided was true and accurate. In the application, **TEKIPPE** falsely represented that he had been terminated or laid off from his job within the last twelve months and that his current employment status was “Not Working.” **TEKIPPE** further certified that he would file a weekly certification of his employment and income status and that he would report any weekly earnings to the Louisiana Workforce Commission in each weekly certification.

2. Based on **TEKIPPE**'s material representations set forth in the fraudulent application for UI benefits, on or about March 28, 2020, the Louisiana Workforce Commission began disbursing unemployment funds weekly to account no. x7399 held by **TEKIPPE** at Bank 1.

3. Each week, beginning on April 7, 2020 and ending on July 18, 2020, **TEKIPPE** submitted, and caused to be submitted, false and fraudulent certifications to the Louisiana Workforce Commission, wherein **TEKIPPE** falsely represented that he was still unemployed and earning no wages.

4. Specifically, on or about May 7, 2020; May 15, 2020; and May 19, 2020, **TEKIPPE** falsely certified that he was unemployed for the weeks ending on May 1, 2020; May 8, 2020; and May 15, 2020, respectively. During the same time period, on or about May 8, 2020;

May 15, 2020; and May 20, 2020, **TEKIPPE** submitted multiple claims to BCBSLA for chiropractic services purportedly provided between April 27, 2020 and May 18, 2020.

5. Between April 2020 and July 2020, **TEKIPPE** certified weekly that he was unemployed; however, **TEKIPPE** submitted approximately 280 claims to insurance providers for chiropractic services purportedly performed between April 2020 and July 2020. Additionally, **TEKIPPE** certified weekly that he was earning no wages; however, **TEKIPPE**'s income totaled approximately \$110,384 between April 2020 and July 2020 from various sources, including reimbursements from claims submitted for the chiropractic services he purportedly performed during that timeframe.

6. In total, based on the approximately 16 fraudulent re-certifications to the Louisiana Workforce Commission that **TEKIPPE** submitted and caused to be submitted, **TEKIPPE** fraudulently obtained at least \$12,952 in UI benefits.

**E. THE OFFENSE:**

Beginning in or around April 2020, and continuing at least through in or around July 2020, in the Eastern District of Louisiana and elsewhere, the defendant, **BENJAMIN TEKIPPE**, having knowingly devised and intended to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, and attempting to do so, did knowingly transmit and cause to be transmitted, by means of wire communications in interstate commerce, writings, signals, pictures, and sounds for the purpose of executing such scheme and artifice.

On or about the date specified below, in the Eastern District of Louisiana and elsewhere, **BENJAMIN TEKIPPE** transmitted and caused to be transmitted the following wire communication for the purpose of executing the scheme and attempting to execute the scheme:

Count	Approximate Date	Description of Wire
8	04/28/2020	<b>TEKIPPE</b> electronically submitted and caused to be submitted a UI benefit re-certification from the Eastern District of Louisiana to servers of the Louisiana Workforce Commission located in Florida

In violation of Title 18, United States Code, Sections 1343 and 2.

**NOTICE OF FORFEITURE**

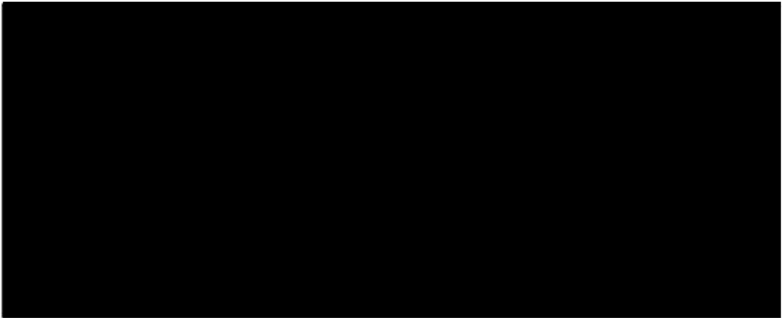
1. The allegations of Counts 1 through 6, and Count 8, of this Second Superseding Indictment are incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States.

2. As a result of the offenses alleged in Counts 1 through 6, and Count 8, the defendant, **BENJAMIN TEKIPPE**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 982(a)(7), any property, real or personal, involved in said offenses, and any property traceable to such property.

3. If any of the above-described property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- 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 shall seek a money judgment and, pursuant to Title 21, United States Code, Section 853(p), forfeiture of any other property of the defendant up to the value of said property.



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New Orleans, Louisiana  
June 14, 2024

FORM OBD-34

No. 21-cr-122 "M" (3)

**UNITED STATES DISTRICT COURT**

Eastern District of Louisiana  
Criminal Division

**THE UNITED STATES OF AMERICA**

vs.

**BENJAMIN TEKIPPE**

**INDICTMENT**

**SECOND SUPERSEDING INDICTMENT FOR  
HEALTH CARE FRAUD, FALSE STATEMENTS,  
AND WIRE FRAUD**

**VIOLATIONS: 18 U.S.C. § 1347 and 2  
18 U.S.C. § 1001 and 2  
18 U.S.C. § 1343 and 2**



Filed in open court this \_\_\_\_\_ day of \_\_\_\_\_ A.D.  
2024.

Clerk

Bail, \$ \_\_\_\_\_

A handwritten signature in cursive script that reads "Kelly Z. Walters".

**KELLY Z. WALTERS**  
United States Department of Justice Trial Attorney