

JRS/MGD:PJC
F. #2024R00307

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
-----X

UNITED STATES OF AMERICA

- against -

BORIS MANAEV,

Defendant.
-----X

THE GRAND JURY CHARGES:

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
*JUNE 17, 2025 *
BROOKLYN OFFICE

I N D I C T M E N T

Cr. No. 25-cr-00202
(T. 18, U.S.C., §§ 982(a)(1), 982(a)(7),
982(b)(1), 1347, 1957(a), 1957(b), 2 and
3551 et seq.; T. 21, U.S.C., § 853(p))

Judge Ramon E. Reyes, Jr
Magistrate Judge Peggy Kuo

I N T R O D U C T I O N

At all times relevant to this Indictment, unless otherwise indicated:

I. Background

1. Medicare was a federal health care program providing benefits to persons who were at least 65 years old or disabled. Medicare was administered by the Centers for Medicare and Medicaid Services ("CMS"), a federal agency under the United States Department of Health and Human Services. Individuals who received benefits under Medicare were referred to as Medicare "beneficiaries."

2. Medicare was divided into multiple parts. Medicare Part B covered, among other things, costs related to durable medical equipment ("DME"), including orthotic braces and related equipment. Generally, Medicare Part B covered these costs only if, among other requirements, they were actually provided, medically necessary, ordered by a physician and not induced by the payment of remuneration, including bribes and kickbacks.

3. Medicare was a “health care benefit program,” as defined by Title 18, United States Code, Section 24(b).

II. The Defendant and Relevant Entities and Individuals

4. The defendant BORIS MANAEV was the owner of BB Medical Equipment Inc. (“BB Medical”), which was located in Fresh Meadows, New York. BB Medical maintained a business bank account ending in 8139 (the “BB Medical Account”) at Financial Institution-1, an entity whose identity is known to the Grand Jury. MANAEV was the sole signatory on the BB Medical Account.

5. Xpress Medical Equipment LLC (“Xpress”) was a DME provider located in Lynbrook, New York.

6. Co-Conspirator-1, an individual whose identity is known to the Grand Jury, was the owner of Entity-1, an entity whose identity is known to the Grand Jury. Co-Conspirator-1 and Entity-1 provided billing services to BB Medical.

7. Co-Conspirator-2, an individual whose identity is known to the Grand Jury, was an employee of BB Medical and of Xpress.

8. Co-Conspirator-3, an individual whose identity is known to the Grand Jury, was the record owner of Xpress.

III. The Fraudulent Scheme

9. In or about and between April 2022 and November 2024, the defendant BORIS MANAEV, together with others, executed a scheme to submit and cause the submission of false and fraudulent claims to Medicare for DME that were (1) medically unnecessary and/or (2) not provided to the Medicare beneficiary. As part of the scheme, MANAEV falsely certified to CMS that he would comply with all Medicare rules and regulations and federal laws,

including by not submitting false and fraudulent claims. Nevertheless, MANAEV submitted or caused to be submitted false and fraudulent claims for DME through Co-Conspirator-1 and Entity-1. As part of the scheme, fraudulent prescriptions for DME were made available electronically to BB Medical.

10. Although BB Medical maintained a small storefront in New York and did not have a national presence, it purported to receive millions of dollars in DME prescriptions from medical providers and beneficiaries in all 50 states, with the majority of its claims originating from outside New York. Co-Conspirator-2 reviewed the DME prescriptions that were sent to BB Medical and shipped DME items nationwide. In some instances, the referring medical provider was located in a different state than the beneficiary who purportedly needed the DME, and in most instances, the beneficiary was purportedly prescribed multiple DME items, including sometimes for all four extremities of the body. For example, on approximately November 21, 2023, BB Medical submitted claims to Medicare for Individual-1, an individual whose identity is known to the Grand Jury, a beneficiary who was located in California and purportedly seen by a medical provider in New Jersey, and who was purportedly prescribed right ankle, left ankle, right wrist and left wrist braces.

11. Between approximately May 2023 and May 2024, BB Medical received multiple notices by mail regarding (1) patient complaints that DME the patients had received was not requested, and (2) requests from Medicare for documentation to substantiate BB Medical's DME claims. In approximately September 2023, BB Medical was notified by Medicare of apparent "aberrancies" in its billing. In approximately February 2024, Medicare notified BB Medical that a review of a subset of its claims had resulted in a 100% denial rate. In

approximately May 2024, the defendant BORIS MANAEV voluntarily terminated BB Medical's Medicare enrollment.

12. In furtherance of the scheme, the defendant BORIS MANAEV enlisted Co-Conspirator-3 to establish Xpress in approximately October 2023, after BB Medical had begun receiving notice of complaints about its Medicare claims. Claims for DME that Xpress submitted to Medicare demonstrated patterns similar to BB Medical's Medicare claims, including claims that originated from outside New York, involved certain beneficiaries and providers that were located in different states, and most beneficiaries purportedly were prescribed multiple DME items.

13. From approximately April 2022 to approximately November 2024, BB Medical submitted approximately \$8.2 million in DME claims to Medicare and was paid approximately \$3.1 million on those claims. Over the same time period, Xpress submitted approximately \$140,000 in DME claims to Medicare and was paid approximately \$9,000 on those claims. The reimbursements to BB Medical were deposited into the BB Medical Account.

14. Upon receiving reimbursements from Medicare, the defendant BORIS MANAEV used fraud proceeds to benefit himself and others. MANAEV engaged in transactions involving fraud proceeds exceeding \$10,000 to pay for, among other things, home improvements and to make religious donations.

COUNTS ONE THROUGH FOUR
(Health Care Fraud)

15. The allegations contained in paragraphs one through 14 are realleged and incorporated as if fully set forth in this paragraph.

16. In or about and between April 2022 and November 2024, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant

BORIS MANAEV, together with others, did knowingly and willfully execute and attempt to execute a scheme and artifice to defraud a health care benefit program, as defined in Title 18, United States Code, Section 24(b), to wit: Medicare, and to obtain, by means of one or more materially false and fraudulent pretenses, representations and promises, money and property owned by, and under the custody and control of, Medicare, in connection with the delivery of and payment for health care benefits, items and services.

17. On or about the dates specified below, within the Eastern District of New York and elsewhere, the defendant BORIS MANAEV, together with others, submitted or caused to be submitted the following false or fraudulent claims to Medicare, in an attempt to execute, and in execution of the scheme described above:

Count	Medicare Beneficiary	DME Items	Approximate Date of Claim	Approximate Amount Billed to Medicare
ONE	Individual-2, an individual whose identity is known to the Grand Jury	Left and Right Ankle Braces; Left and Right Wrist Braces	September 19, 2023	\$1,700
TWO	Individual-3, an individual whose identity is known to the Grand Jury	Left and Right Knee Braces; Left and Right Knee Sleeves; Left and Right Wrist Braces	November 9, 2023	\$3,500
THREE	Individual-4, an individual whose identity is known to the Grand Jury	Lumbar Brace; Left and Right Knee Braces; Left and Right Knee Sleeves	December 5, 2023	\$2,800

Count	Medicare Beneficiary	DME Items	Approximate Date of Claim	Approximate Amount Billed to Medicare
FOUR	Individual-5, an individual whose identity is known to the Grand Jury	Left and Right Ankle Braces; Left and Right Wrist Braces	January 17, 2024	\$1,700

(Title 18, United States Code, Sections 1347, 2 and 3551 et seq.)

COUNTS FIVE THROUGH TEN
(Unlawful Monetary Transactions)

18. The allegations contained in paragraphs one through 14 are realleged and incorporated as if fully set forth in this paragraph.

19. On or about the dates listed below, within the Eastern District of New York and elsewhere, the defendant BORIS MANAEV, together with others, did knowingly and intentionally engage in one or more monetary transactions, to wit: the transactions set forth below, in and affecting interstate commerce, in criminally derived property that was of a value greater than \$10,000 and that was derived from specified unlawful activity, to wit: health care fraud, in violation of Title 18, United States Code, 1347, knowing that the property involved in such monetary transactions represented the proceeds of some form of unlawful activity:

Count	Approximate Date of Transaction	Description of Transaction
FIVE	October 25, 2022	MANAEV caused the issuance of a check from the BB Medical Account in the amount of approximately \$10,600 to Entity-2, an entity whose identity is known to the Grand Jury.
SIX	October 20, 2023	MANAEV caused the issuance of a check from the BB Medical Account in the amount of approximately \$11,000 to a construction company for renovations to his home.

Count	Approximate Date of Transaction	Description of Transaction
SEVEN	January 8, 2024	MANAEV caused the issuance of a check from the BB Medical Account in the amount of approximately \$100,000 to a religious organization.
EIGHT	February 19, 2024	MANAEV caused the issuance of a check from the BB Medical Account in the amount of approximately \$25,000 to a construction company for renovations to his home.
NINE	March 6, 2024	MANAEV caused the issuance of a check from the BB Medical Account in the amount of approximately \$79,049 to himself with the memo "Distributions for 2023."
TEN	March 22, 2024	MANAEV caused the issuance of a check from the BB Medical Account in the amount of approximately \$24,550 to Entity-3, an entity whose identity is known to the Grand Jury.

(Title 18, United States Code, Sections 1957(a), 1957(b), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE THROUGH FOUR

20. The United States hereby gives notice to the defendant that, upon his conviction of any of the offenses charged in Counts One through Four, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(7), which requires any person convicted of a federal health care offense to forfeit property, real or personal, that constitutes, or is derived directly or indirectly from, gross proceeds traceable to the commission of such offenses.

21. If any of the above-described forfeitable 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 party;
- (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 divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(7) and 982(b)(1); Title 21, United States Code, Section 853(p))

**CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS FIVE THROUGH TEN**

22. The United States hereby gives notice to the defendant that, upon his conviction of any of the offenses charged in Counts Five through Ten, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(1), which requires any person convicted of such offenses to forfeit any property, real or personal, involved in such offenses, or any property traceable to such property.

23. If any of the above-described forfeitable 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 party;
- (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 divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(1) and 982(b)(1); Title 21, United States Code, Section 853(p))

A TRUE BILL

^ ^

/s/

FOREPERSON

By David Pittluck, Asst. U.S. Attorney

JOSEPH NOCELLA, JR.
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

By Patrick J. Campbell

LORINDA LARYEA
ACTING CHIEF, FRAUD SECTION
CRIMINAL DIVISION
U.S. DEPARTMENT OF JUSTICE