

Case 3:25-cr-00293-S Document 1 Filed 06/24/25 Page 1 of 10 PageID 1
ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

FILED-USDC-NDTX-DA
'25 JUN 24 PM3:10
KM

UNITED STATES OF AMERICA

v.

DEMITRIOUS GILMORE (01)

CASE NO.

3-25CR-293 S

INDICTMENT

The Grand Jury charges:

At all times relevant to this Indictment:

Introduction

1. Defendant **Demitrious Gilmore** (“**Gilmore**”) was a chiropractor, licensed in the State of Texas. **Gilmore** owned and operated WM Wellness, LLC and Gilmorehands, Inc. D/B/A Work-Med. WM Wellness and Work-Med were located in Grand Prairie, Texas, within the Northern District of Texas

2. Coconspirator One (“Coconspirator One”) was a Doctor of Osteopathic Medicine, licensed in the State of Texas. Coconspirator One owned and operated a medical clinic located in Flower Mound, Texas, and served as the medical director of WM Wellness and Work-Med.

3. Coconspirator Two (“Coconspirator Two”) was a retired United States Postal Service employee and former union official who worked at WM Wellness and Work-Med.

4. From in or around January 2017 and continuing thereafter until in or around April 2023, **Gilmore**, Coconspirator One, and Coconspirator Two, conspired to engage in a scheme and artifice to defraud through the submission of approximately \$19 million in false and fraudulent claims to the Federal Employee Compensation Act (FECA) for services, benefits, and items that were ineligible for reimbursement, not medically necessary, not performed, or not provided. As a result of the false and fraudulent claims, FECA paid at least approximately \$17 million.

The Federal Employees Compensation Act

5. The Federal Employees Compensation Act provided for payment of workers' compensation benefits to federal employees who suffered an injury, disease, or death in the performance of duty. To establish a claim for benefits, a medical condition was required to be causally related to a claimed injury, disease, or death. Benefits were only available while a work-related condition continued. The benefits under FECA included all necessary medical care, medical supplies, and prescription drugs. The Department of Labor ("DOL") Office of Workers Compensation Program ("OWCP") administered the benefits under FECA. FECA was a "health care benefit program," as defined by Title 18, United States Code, Section 24(b).

6. FECA required health care providers to itemize their claims for payment and use Physician's Current Procedural Terminology ("CPT") codes and Healthcare Common Procedure Coding System ("HCPCS") codes to identify the services provided. Medical evidence was required to support all claims submitted for payment under FECA. By submitting a bill or accepting payment, the provider signified that the service for

which reimbursement was sought was performed as described, necessary, appropriate and properly billed in accordance with accepted industry standards.

Count One

Conspiracy to Commit Health Care Fraud
(Violation of 18 U.S.C. § 1349 (18 U.S.C. § 1347))

7. The allegations contained in the preceding paragraphs of this Indictment are realleged and incorporated by reference as though fully set forth herein.

8. From in or around January 2017 and continuing thereafter until in or around April 2023, in the Dallas Division of the Northern District of Texas and elsewhere, the defendant **Demitrious Gilmore**, along with Coconspirator One and Coconspirator Two, did knowingly and willfully combine, conspire, confederate and agree with each other to commit the offense of health care fraud in violation of 18 U.S.C. § 1347, that is, to knowingly and willfully devise and execute a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in 18 U.S.C. § 24(b), that is, the Federal Employees Compensation Act (FECA), and to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, FECA, in connection with the delivery of, and payment for, health care items, benefits, and services, namely knee braces, physical therapy, Platelet Rich Plasma therapy, and at-home ultrasonic devices.

Purpose of the Conspiracy

9. It was the purpose of the conspiracy for the defendant and his coconspirators to unlawfully enrich themselves through the submission of false and fraudulent claims for medical services, items, and benefits that were ineligible for reimbursement, not medically necessary, and/or not performed or provided.

Manner and Means of the Conspiracy

10. The manner and means by which the defendant and his coconspirators sought to accomplish the purpose of the conspiracy included, among other things:

11. It was part of the scheme and artifice to defraud that **Gilmore** and Coconspirator One submitted enrollment documents to DOL-OWCP for Work-Med, WM Wellness, and Coconspirator One's clinic to become enrolled providers and to obtain provider numbers to bill DOL-OWCP.

12. It was further part of the scheme and artifice to defraud that **Gilmore** and Coconspirator One opened various bank accounts in the names of the clinics in which DOL-OWCP payments were deposited.

13. It was further part of the scheme and artifice to defraud that **Gilmore** enlisted Coconspirator Two, a USPS employee and union official, to recruit patients to the clinics and to assist with getting DOL-OWCP claims approved. In exchange, **Gilmore** agreed to pay, and did pay, Coconspirator Two. To conceal the payments, **Gilmore** paid Coconspirator Two through an entity controlled by Coconspirator Two.

14. It was further a part of the scheme and artifice to defraud that **Gilmore** and Coconspirator One, through the clinics, would and did bill DOL-OWCP for medical equipment and services that were ineligible for reimbursement, not medically necessary, and/or not performed or provided. For instance, **Gilmore** and his coconspirators routinely billed DOL-OWCP for expensive knee braces claimants did not need or receive. In several instances, DOL-OWCP was billed by one or more of the clinics for multiple custom knee braces for a single claimant.

15. In addition, **Gilmore** and his coconspirators submitted or caused the submission of false and fraudulent claims for physical therapy that was never provided and/or not provided as represented, including in one instance where DOL-OWCP was billed for multiple hours of physical therapy while the claimant was having knee surgery.

16. **Gilmore** and his coconspirators also submitted or caused the submission of false and fraudulent claims for intravenous infusions of platelet rich plasma and at-home ultrasonic devices that were not medically necessary, never provided, and/or not provided as represented.

17. As part of the scheme and artifice to defraud, **Gilmore** and his coconspirators each received a percentage of the monies paid by DOL-OWCP for the false and fraudulent claims.

18. As a result of the scheme and artifice to defraud, **Gilmore** and his coconspirators collectively billed DOL-OWCP over \$19 million dollars and were paid at least approximately \$17 million.

All in violation of 18 U.S.C. § 1349 (18 U.S.C. § 1347).

Notice of Forfeiture
[18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)]

19. The allegations contained in Count One of this Indictment are realleged and incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant has an interest.

20. Upon conviction of any violation of any Federal health care offense, including 18 U.S.C. § 1349, the defendant, **Demitrious Gilmore**, shall forfeit to the United States any property, real or personal, that constitutes or is derived, directly or indirectly, from proceeds traceable to the commission of the offense, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), including but not limited to the following:

Real Property:

The Real Property known as 11 Hickory Crossing Lane, Argyle, TX 76226

Seized Funds/U.S. Currency:

\$1,003,602.33 in funds seized from PNC bank account #49-5967-0587 in the name of Demitrious Gilmore; and

\$66,958.28 in funds seized from PNC bank account #49-4744-0306 in the name of Gilmore Hands, Inc. dba Workmed/Demitrious Gilmore; and

\$636.50 in funds seized from PNC bank account #39-1639-5106 in the name of Gilmore Hands Inc./Demitrious Gilmore; and

\$2,614.52 in funds seized from PNC bank account #49-5681-2861 in the name of Gilmore Hands Inc. dba Workmed/Demitrious Gilmore; and

\$38,762.76 in funds seized from Wells Fargo bank account #7676706968 in the name of WM Wellness LLC; and

\$2,631.86 in funds seized from Wells Fargo bank account #6169747679 in the name of Gilmore Hands, Inc.;

Cash Proceeds

The above-referenced property subject to forfeiture includes, but is not limited to, a “money judgment,” in United States currency, and all interest and proceeds traceable thereto, representing the remaining amount of proceeds (after deducting the amount already seized) obtained by defendant as a result of the offenses alleged in this Indictment, for which the defendant is personally liable.

Substitute Assets

If any property subject to forfeiture, as a result of any act or omission by 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 21 U.S.C. § 853(p), to seek forfeiture of any other property of defendant up to the value of the above forfeitable property, including but not limited to all property, both real and personal, owned by defendant.

A TRUE BILL:



FOREPERSON

NANCY E. LARSON
ACTING UNITED STATES ATTORNEY



RENEE M. HUNTER
Assistant United States Attorney
Texas Bar No. 24072942
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Telephone: 214-659-8600
Email: Renee.Hunter@usdoj.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE UNITED STATES OF AMERICA

v.

DEMITRIOUS GILMORE

INDICTMENT

18 U.S.C. § 1349 (18 U.S.C. § 1347)
Conspiracy to Commit Health Care Fraud
(Count 1)

18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)
(Notice of Forfeiture)

1 Count

A true bill rendered

DALLAS



FOREPERSON

Filed in open court this 24th day of June, 2025.

No Warrant Needed



UNITED STATES MAGISTRATE JUDGE

No Criminal Matter Pending