

2024R004G7/JRE/KMR

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Madeline Cox Arleo
	:	
v.	:	Crim. No. 25-393(MCA)
	:	
TAEJIN KIM	:	18 U.S.C. § 1349

INFORMATION

(Conspiracy to Commit Health Care Fraud)

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information:

Individuals and Entities

- a. Defendant TAEJIN KIM ("KIM") was a resident of New Jersey and a licensed physical therapist. KIM co-owned and operated Business 1 and owned and controlled Company 1 and Company 2.

- b. Punson Figueroa, a/k/a "Susie" ("Figueroa"), a co-conspirator not charged in this Information, was a licensed acupuncturist that co-owned and operated Business 1 with KIM.

- c. Business 1 was a business located in New York, New York that purported to provide acupuncture and physical therapy services.

- d. Company 1 and Company 2, which were incorporated in New York, were professional corporations associated with KIM's work as a physical therapist.

e. Hyunji Choi, a/k/a “Regina Choi,” a/k/a “Regina Beatrice” (“Choi”), a co-conspirator not charged in this Information, worked for KIM and Figueroa as a medical biller at Business 1.

f. Devon Burt (“Burt”), a co-conspirator not charged in this Information, was a resident of Pennsylvania and an employee of the National Railroad Passenger Corporation (“Amtrak”).

Background

g. Amtrak was a passenger railroad service that operated a nationwide rail network.

h. Amtrak provided its employees with a health care benefit plan (the “Amtrak health care plan”), which insured participating Amtrak employees who paid premiums through monthly payroll deductions (the “Amtrak health care plan participants”). Amtrak’s health care plan is a “health care benefit program,” as defined by Title 18, United States Code, Section 24(b).

i. The Amtrak health care plan reimbursed providers of medical services, including physicians and medical clinics (collectively, “providers”), who treated Amtrak health care plan participants.

j. The Amtrak health care plan required providers to submit claim forms to receive reimbursement for medical services provided to Amtrak health care plan participants. Among other information, providers were required to include in the claim forms: (1) the Amtrak health care plan participant’s name and ID number; (2) the type of service provided; (3) the date the service was provided; (4) the charge

for the service; (5) the diagnosis; and (6) the provider's name and/or identification number.

k. The Amtrak health care plan paid only medically necessary claims for patients covered under the health care plan. To encourage patients to receive cost-effective and medically necessary treatments, the Amtrak health care plan required participants to pay co-insurance, co-payments, and deductibles.

l. A National Provider Identifier ("NPI") is a unique, 10-digit number that constitutes a means of identification for health care providers. NPIs are used for medical billing.

The Conspiracy

2. From in or around October 2019 through in or around June 2022, in the District of New Jersey, and elsewhere, the defendant,

TAEJIN KIM,

did knowingly and intentionally conspire and agree with Figueroa, Choi, and others to execute a scheme and artifice to defraud the Amtrak health care plan, a health care benefit program as defined under Title 18, United States Code, Section 24(b), and to obtain, by means of false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of said health care benefit program, in connection with the delivery of and payment for health care benefits, items, and services, contrary to Title 18, United States Code, Section 1347.

Goal of the Conspiracy

3. The goal of the conspiracy was for KIM and her co-conspirators to profit by submitting false and fraudulent claims to the Amtrak health care plan for services that were never provided and that were medically unnecessary.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that:

a. Through their work at Business 1, KIM, Figueroa, Choi, and others agreed to engage in a scheme to submit false and fraudulent claims to the Amtrak health care plan for services that were never provided and were medically unnecessary. Specifically, KIM agreed to allow Figueroa to use her NPI, professional corporations, and business bank accounts for false billing in connection with the scheme, in return for a share of the proceeds.

b. After Figueroa billed the Amtrak health care plan for medically unnecessary services that were not rendered by KIM, KIM received reimbursements from the Amtrak health care plan into the business bank accounts of Company 1 and Company 2. Then, KIM shared the proceeds with Figueroa pursuant to their profit-sharing agreement.

c. When the Amtrak health care plan requested medical documentation in support of certain claims, KIM signed and caused the submission of false medical records, which falsely stated that KIM had evaluated and provided physical therapy services when she had not. For example, KIM signed falsified provider's notes in support of claims relating to Burt. KIM also signed false progress

notes for physical therapy services that she purportedly provided to Burt on approximately five dates in or around January 2021.

d. Figueroa recruited dozens of co-conspirator Amtrak employees, who were Amtrak health care plan participants, to take part in the scheme by paying the Amtrak employees cash in return for the use of their personal and insurance information for the false billing scheme. Many of the Amtrak employees were New Jersey residents, and Figueroa communicated with the Amtrak employees via phone and text message, including while the employees were located in New Jersey.

e. KIM, Figueroa, and Choi used the Amtrak employees' patient and insurance information to submit false claims to the Amtrak health care plan for services, including acupuncture and physical therapy, that were not medically necessary and were never provided to the Amtrak employees. For example, in early 2020, after KIM, Figueroa, and Choi determined that the Amtrak health care plan would pay lucrative reimbursements for acupuncture and physical therapy claims, Figueroa and Choi submitted, with KIM's knowledge, several false backdated claims to the Amtrak health care plan for services that KIM purportedly provided in or around 2019, but that KIM did not in fact provide.

f. As a result of the false and fraudulent claims that KIM and her co-conspirators submitted or caused to be submitted to the Amtrak health care plan for reimbursements purportedly owed to KIM's professional corporations, Company 1 and Company 2, Amtrak paid approximately \$2,253,453 to KIM's business bank accounts.

In violation of Title 18, United States Code, Section 1349.

FORFEITURE ALLEGATION

Upon conviction of the Federal health care fraud offenses charged in this Information, KIM shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(7), all property KIM obtained that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the offense charged in the Information, which has a value of approximately \$676,035.90.

SUBSTITUTE ASSETS PROVISION

If any of the forfeitable property described above, 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;

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), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described above.



ALINA HABBA
United States Attorney

CASE NUMBER: 25-_____

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

TAEJIN KIM

INFORMATION FOR

18 U.S.C. § 1349

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