

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO. 8:26cr519

vs.

18 U.S.C. § 2

18 U.S.C. § 1035

18 U.S.C. § 982(a)(7)

28 U.S.C. § 2461(c)

MISTY DAWN WOODY**INDICTMENT**

BACKGROUND

THE GRAND JURY CHARGES:

At all times relevant to this Information:

1. **MISTY DAWN WOODY** resided in Greenville County within the District of South Carolina and was an employee of Vital Care EMS (“Vital Care”). Although she signed forms only medical doctors were authorized to sign, **MISTY DAWN WOODY** was not a medical doctor.

2. K.W. was a medical doctor licensed to practice medicine in the state of South Carolina.

3. Vital Care was a non-emergency ambulance transport service based out of Piedmont, South Carolina, in Anderson County.

4. The Medicare Program (“Medicare”) was a federal health insurance program, affecting commerce, that provided benefits to persons who were 65 years of age and older or disabled.

5. Medicare was a “health care benefit program” within the meaning of Title 18, United States Code, Section 24(b). Medicare was administered by the United States Department

of Health and Human Services, through its agency, the Centers for Medicare and Medicaid Services (“CMS”).

6. Individuals who qualified for Medicare benefits were commonly referred to as “beneficiaries.” Each beneficiary was given a unique Medicare identification number.

7. Medicare included coverage under component parts. Medicare Part B covered, among other things, medically necessary non-emergency ambulatory services transportation of beneficiaries with end stage renal disease (ESRD) from their nursing facility or residence to a dialysis center for treatment.

8. According to CMS guidance, non-emergency ambulatory services for the transportation of end stage renal disease (“ESRD”) beneficiaries to a dialysis center for treatment is considered medically necessary and therefore reimbursable by Medicare. ESRD occurs when chronic kidney disease reaches an advanced state, requiring consistent dialysis or a kidney transplant for the patient to stay alive. In order to receive reimbursement for transportation of ESRD patients, CMS requires adherence to the Repetitive Scheduled Non-Emergent Ambulance Transport Prior Authorization Model (“RSNAT”). Under the RSNAT, Medicare covers repetitive non-emergency medical transportation if the ambulance supplier, before furnishing the service to the beneficiary, obtains a written order, known as a Physician Certification Statement (PCS), from the beneficiary’s attending physician certifying that those medical necessity requirements were met.

9. A PCS must include all relevant documentation to support Medicare coverage of the transport, including the certifying physician’s name, signature, National Provider Identifier and address. The PCS must be supported by medical documentation and is applicable for a 60-

day period, meaning a new PCS form must be completed every 60 days to receive prior authorization.

SCHEME AND ARTIFACE TO DEFRAUD

10. Between on or about February 1, 2022 and continuing through on or about September 30, 2025, **MISTY DAWN WOODY**, intentionally devised and intended to devise a scheme and artifice to defraud a healthcare benefit program affecting commerce as defined by Title 18, United States Code, Section 24(b), that is, Medicare, in that Defendant, **MISTY DAWN WOODY**, did knowingly, intentionally, and unlawfully submit PCS forms containing the forged and copied signature of K.W. to Medicare to obtain preauthorization for non-emergency ambulance services knowing that the claims were false, fictitious, and fraudulent in that K.W.'s signature was forged and copied and that K.W. never certified the need for non-emergency ambulatory services documented by the PCS form.

MANNER AND MEANS

It was part of the scheme that:

11. **MISTY DAWN WOODY** originally obtained a blank PCS form with K.W.'s signature at the bottom for emergency purposes only. **MISTY DAWN WOODY** was aware that she was required by her employer to call K.W. prior to using the blank form with his signature. Instead, **MISTY DAWN WOODY** kept a clipboard containing blank PCS forms with K.W.'s legitimate signature at the bottom and filled out the remainder of the forms by hand without any authorization from K.W.

12. The sections of the PCS form completed by **MISTY DAWN WOODY** included portions that are meant to be completed by a physician, to include the medical necessity determination for non-emergency medical transport.

13. **MISTY DAWN WOODY** also forged the signature of K.W. on other PCS forms and completed the medical necessity portion of the form by hand, despite not having the requisite qualifications or being authorized by K.W. to do so.

14. **MISTY DAWN WOODY** submitted completed PCS forms to other employees of Vital Care for billing to Medicare as if they were appropriately completed by K.W.

15. From on or about February 1, 2022, through on or about September 30, 2025, **MISTY DAWN WOODY** forged or copied K.W.'s signature without authorization on approximately 100 PCS forms and submitted them to other Vital Care EMS staff for submission to Medicare. In total, the forged and copied PCS forms submitted by **MISTY DAWN WOODY** caused approximately \$1.8 million to be billed to Medicare, of which Medicare paid Vital Care EMS Approximately \$936,000.

COUNTS 1-3

False Statement Relating to Health Care Matters and Aiding/Abetting

16. The allegations in paragraphs 1 through 15 of this Indictment are realleged and incorporated here by reference as if set forth fully herein.

17. Specifically, on or about the dates below, in the District of South Carolina, the defendant, **MISTY DAWN WOODY**, for the purpose of executing the scheme described above, and in connection with the delivery of and payment for health care benefits, items, and services, and in a manner involving a health care benefit program affecting commerce, namely Medicare, did knowingly and willfully make materially false, fictitious, and fraudulent statements and representations, and make and use materially false writings and documents, in that as alleged below, **MISTY DAWN WOODY**, did forge the signature of K.W. on a PCS form knowing the

same to contain materially false, fictitious, and fraudulent statements and entries, and did aid and abet others in the commission of the aforementioned offense;

<i>Count</i>	<i>Date</i>	<i>False Statement Relating to a Healthcare Matter</i>
1.	July 24, 2024	MISTY DAWN WOODY did forge the signature of K.W. on a PCS form associated with patient C.G.
2.	December 21, 2023	MISTY DAWN WOODY did forge the signature of K.W. on a PCS form associated with patient D.S.K.
3.	November 14, 2022	MISTY DAWN WOODY did forge the signature of K.W. on a PCS form associated with patient C.G.

All in violation of Title 18 United States Code, Section 1035 and 2.

FORFEITURE

HEALTH CARE FRAUD/CONSPIRACY:

As a result of the foregoing violation of 18 U.S.C. § 1035, as charged in this Indictment, upon conviction, Defendant, **MISTY DAWN WOODY**, shall forfeit to the United States any property, real or personal, constituting, derived from or traceable to proceeds the Defendant individually obtained directly or indirectly as a result of such offenses.

PROPERTY:

Pursuant to 18 U.S.C. § 982(a)(7) and 28 U.S.C. § 2461(c), the property which is subject to forfeiture upon conviction of Defendant for the violations charged in this Indictment includes, but is not limited to, the following:

Proceeds/Forfeiture Judgment:

A sum of money equal to all proceeds the Defendant individually obtained, directly or indirectly, from the offenses charged in this Indictment, and all interest and proceeds traceable thereto, and/or such sum that equals all property derived from or traceable to her violation of 18 U.S.C. § 1035.

SUBSTITUTE ASSETS:

If any of the property described above, as a result of any act or omission of a Defendant-

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) 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 the said Defendants up to the value of the forfeitable property described above.

All pursuant to Title 18, United States Code, Section 982(a)(7) and Title 28, United States Code, Section 2461(c).

A TRUE BILL

REDACTED

FOREPERSON 

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