

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. **18-20243** CR-ALTONAGA

18 U.S.C. § 1349
18 U.S.C. § 1347
18 U.S.C. § 2
18 U.S.C. § 982(a)(7)

/GOODMAN

UNITED STATES OF AMERICA

vs.

CLARA SALAZAR-VUST,
OLGA ALVARADO, and
ROBERTO PEREZ,

Defendants.

FILED by *S. L.* D.C.
APR 03 2018
STEVEN M. LARIMORE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times relevant to this Indictment:

Commercial Insurance

1. Blue Cross Blue Shield (BCBS) and Cigna were "health care benefit programs," as defined by Title 18, United States Code, Section 24(b).
2. These entities, BCBS and Cigna, often made payments directly to physicians, medical clinics, or other health care providers, rather than to the beneficiary who received the health care benefits, items, and services. This occurred when the provider accepted assignment of the right to payment from the beneficiary.
3. To obtain payment for treatments or services provided to a beneficiary, physicians, medical clinics, and other health care providers had to submit itemized claim forms to the

beneficiary's commercial insurance plan. The claim forms were typically submitted electronically via the internet. The claim form required certain important information, including: (a) the beneficiary's name and HICN or other identification number; (b) a description of the health care benefit, item, or service that was provided or supplied to the beneficiary; (c) the billing codes for the benefit, item, or service; (d) the date upon which the benefit, item, or service was provided or supplied to the beneficiary; and (e) the name of the referring physician or other health care provider, as well as a unique identifying number, known either as the Unique Physician Identification Number ("UPIN") or National Provider Identifier ("NPI").

4. When a provider submitted a claim form to a commercial insurance plan, the provider party certified that the contents of the form were true, correct, complete, and that the form was prepared in compliance with the applicable laws and regulations. The submitting party also certified that the services being billed were medically necessary and were in fact provided as billed.

5. Salvus, LLC ("Salvus") was a Florida corporation, located at 330 SW 27th Ave., #508, Miami, Florida, which later moved to 2255 SW 32nd Ave., #202, Miami, Florida. Salvus was a medical clinic that purportedly provided private insurance beneficiaries with various medical treatments and services.

6. Defendant **CLARA SALAZAR-VUST** was a resident of Miami-Dade County and co-owner, president, registered agent, and physician assistant of Salvus.

7. Defendant **OLGA ALVARADO** was a resident of Miami-Dade County and co-owner of Salvus.

8. Defendant **ROBERTO PEREZ** was a resident of Miami-Dade County and co-owner of Salvus.

COUNT 1
Conspiracy to Commit Health Care Fraud and Wire Fraud
(18 U.S.C. § 1349)

1. Paragraphs 1 through 8 of the General Allegations section of this Indictment are realleged and incorporated by reference as if fully set forth herein.

2. From in or around January 2013, and continuing through in or around March 2018, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

CLARA SALAZAR-VUST,
OLGA ALVARADO, and
ROBERTO PEREZ,

did knowingly, that is, with the intent to further to the objects of the conspiracy, and willfully combine, conspire, confederate, and agree with each other and others known and unknown to the Grand Jury, to commit offenses against the United States, that is:

a. to knowingly and willfully execute a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in Title 18, United States Code, Section 24(b) that is BCBS and Cigna, 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, said health care benefit programs, in connection with the delivery and payment for health care benefits, items, services, in violation of Title 18, United States Code, Section 1347; and

b. to knowingly and with the intent to defraud, devise, and intend to devise a scheme and artifice to defraud and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing the pretenses, representations, and promises were false and fraudulent when made, and for the purpose of executing the scheme and artifice, did knowingly transmit and cause to be transmitted by means of wire communication in interstate commerce, certain writings, signs, signals, pictures and sounds, in violation of Title 18,

United States Code, Section 1343.

PURPOSE OF THE CONSPIRACY

3. It was a purpose of the conspiracy for the defendants and their co-conspirators to unjustly enrich themselves by, among other things: (a) submitting and causing the submission of false and fraudulent claims to health care benefit programs; (b) concealing the submission of false and fraudulent claims to health care benefit programs; (c) concealing the receipt of the fraud proceeds; and (d) diverting the fraud proceeds for their personal use and benefit, the use and benefit of others, and to further the fraud.

MANNER AND MEANS OF THE CONSPIRACY

The manner and means by which the defendants and their co-conspirators sought to accomplish the objects and purpose of the conspiracy included, among others, the following:

4. **CLARA SALAZAR-VUST, OLGA ALVARADO, and ROBERTO PEREZ** submitted and caused to be submitted, via interstate wires, approximately \$5,943,053 in claims which falsely and fraudulently represented that various health care benefits, primarily physical therapy and injectable drugs, were medically necessary, prescribed by a doctor, and had been provided by Salvus to insurance beneficiaries of BCBS and Cigna.

5. As a result of such false and fraudulent claims, BCBS and Cigna made payments to the corporate bank accounts of Salvus in the approximate amount of \$1,638,378.

6. **CLARA SALAZAR-VUST, OLGA ALVARADO, and ROBERTO PEREZ** used the proceeds of the health care fraud for their personal use and benefit and to further the fraud scheme.

All in violation of Title 18, United States Code, Section 1349.

COUNTS 2-5
Health Care Fraud
(18 U.S.C. § 1347)

1. Paragraphs 1 through 8 of the General Allegations section of this Indictment are realleged and incorporated by reference as if fully set forth herein.

2. From in or around January 2013, and continuing through in or around March 2018, in Miami-Dade County, in the Southern District of Florida, the defendants,

CLARA SALAZAR-VUST,
OLGA ALVARADO, and
ROBERTO PEREZ,

in connection with the delivery of and payment for health care benefits, items, and services, did knowingly and willfully execute, and attempt to execute, a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in Title 18, United States Code, Section 24(b), that is, BCBS and Cigna, 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 said health care benefit programs.

Purpose of the Scheme and Artifice

3. It was a purpose of the scheme and artifice for the defendants and their accomplices to unlawfully enrich themselves by, among other things: (a) submitting and causing the submission of false and fraudulent claims to health care benefit programs; (b) concealing the submission of false and fraudulent claims to health care benefit programs; (c) concealing the receipt of the fraud proceeds; and (d) diverting the fraud proceeds for their personal use and benefit, the use and benefit of others, and to further the fraud.

The Scheme and Artifice

4. The allegations contained in paragraphs 4 through 6 of the Manner and Means of

the conspiracy section of Count 1 of this Indictment are realleged and incorporated by reference as though fully set forth herein as a description of the scheme and artifice.

Acts in Execution or Attempted Execution of the Scheme and Artifice

5. On or about the dates specified as to each count below, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants, in connection with the delivery of and payment for health care benefits, items, and services, did knowingly and willfully execute, and attempt to execute, the above-described scheme and artifice to defraud a health care benefit program affecting commerce, that is, BCBS and Cigna, 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, said health care benefit programs, in that the defendants submitted and caused the submission of false and fraudulent claims to BCBS and Cigna seeking the identified dollar amounts, and representing that Salvus provided medical treatment and services to commercial beneficiaries pursuant to physicians' orders and prescriptions:

Count	Beneficiary	Approx. Date Claim Received	Claim Number	Ins. Plan	Services Claimed; Approx. Amount Claimed
2	D.C.	8/29/2013	4221324192680	Cigna	Injection, Methocarbamol, up to 10ML (J2800); \$5,250
3	J.D.	12/18/2013	H100000385466763	BCBS	Injection, Orphenadrine Citrate, up to 60MG (J2360); \$5,100
4	S.T.	3/06/2014	H100000397238337	BCBS	Injection, Methylprednisolone Acetate, 80 MG (J1040); \$1,500

Count	Beneficiary	Approx. Date Claim Received	Claim Number	Ins. Plan	Services Claimed; Approx. Amount Claimed
5	R.R.	03/07/2014	H100000397459706	BCBS	Injection, Pyrodoxine HCL, 100 MG (J3415); \$1,000

In violation of Title 18, United States Code, Sections 1347 and 2.

FORFEITURE
(18 U.S.C. § 982(a)(7))

1. The allegations contained in 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 certain property in which the defendants, **CLARA SALAZAR-VUST, OLGA ALVARADO,** and **ROBERTO PEREZ** have an interest.

2. Upon conviction of any violation of Title 18, United States Code, Sections 1347 or 1349, as alleged in Counts 1 through 5 of this Indictment, the defendant so convicted shall forfeit to the United States all of their respective right, title, and interest in any property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of such violation, pursuant to Title 18, United States Code, Section 982(a)(7).

3. The property subject to forfeiture includes, but is not limited to, the sum of \$1,638,378 in United States currency, which amount is equal to the gross proceeds traceable to the commission of the violations alleged in this Indictment, which the United States will seek as a forfeiture money judgment as part of the defendant's sentence.

4. If the property described above as being subject to forfeiture, as a result of any act or omission of the defendants,

(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 subdivided without difficulty;

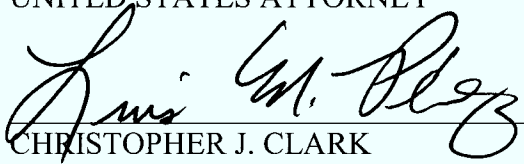
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property and, in addition, to seek a court order requiring the defendants to return any such property to the jurisdiction of the court for seizure and forfeiture.

All pursuant to Title 18, United States Code, Section 982(a)(7); and the procedures set forth at Title 21, United States Code, Section 853, as made applicable by Title 18, United States Code, Section 982(b)(1).

A TRUE BILL,


FOREFPERSON


BENJAMIN G. GREENBERG
UNITED STATES ATTORNEY


CHRISTOPHER J. CLARK
ASSISTANT UNITED STATES ATTORNEY