

STATE OF NEW YORK
COUNTY OF RENSSELAER

RENSSELAER SUPREME COURT

PEOPLE OF THE STATE OF NEW YORK,

INDICTMENT

– against –

Indictment No.: 70359-24

JOHN GOUZOS, RICHARD SEHL (a/k/a “HOJO”),
MEDI CAB CORP, JAYS AUTO CARE INC.,
and HOJO DETAIL CENTER INC.

Defendants.

COUNTS

COUNT 1 GRAND LARCENY IN THE SECOND DEGREE, PENAL LAW § 155.40(1)

COUNT 2 HEALTH CARE FRAUD IN THE SECOND DEGREE, PENAL LAW § 177.20

COUNT 3 MONEY LAUNDERING IN THE FOURTH DEGREE,
PENAL LAW § 470.05(1)(a)(ii)(A)

COUNT 4 MONEY LAUNDERING IN THE FOURTH DEGREE,
PENAL LAW § 470.05(1)(a)(ii)(A)

COUNT 5 MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES
(KICKBACKS), SOCIAL SERVICES LAW § 366-d(2)(b)(ii)

COUNT 6 MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES
(KICKBACKS), SOCIAL SERVICES LAW § 366-d(2)(b)(ii)

COUNT 7 MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES
(KICKBACKS), SOCIAL SERVICES LAW § 366-d(2)(b)(ii)

COUNT 8 MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES
(KICKBACKS), SOCIAL SERVICES LAW § 366-d(2)(b)(ii)

COUNT 9 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE,
PENAL LAW § 175.10

COUNT 10 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE,
PENAL LAW § 175.10

COUNT 11 FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE,
PENAL LAW § 175.10

COUNT 12 OFFERING A FALSE INSTRUMENT FOR FILING,
PENAL LAW § 175.35(1)

COUNT 13 OFFERING A FALSE INSTRUMENT FOR FILING,
PENAL LAW § 175.35(1)

COUNT 14 OFFERING A FALSE INSTRUMENT FOR FILING,
PENAL LAW § 175.35(1)

A TRUE BILL

Dated: June 6, 2024


Grand Jury Foreperson
Rensselaer County Courthouse
80 Second Street
Troy, New York 12180

LETITIA JAMES
NEW YORK STATE ATTORNEY GENERAL

By:


Patrick F. Scully
Special Assistant Attorney General
New York State Attorney General
Medicaid Fraud Control Unit
The Capitol, Agency Building 2
Albany, New York 12224
Telephone No.: (518) 533-6011
Email: Patrick.Scully@ag.ny.gov

COUNT ONE

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants, JOHN GOUZOS, RICHARD SEHL (A/K/A "HOJO"), and MEDI CAB CORP of the crime of **GRAND LARCENY IN THE SECOND DEGREE**, in violation of Penal Law § 155.40(1), committed as follows:

That between on or about December 20, 2021 and March 31, 2023, in Rensselaer County and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A "HOJO"), individually and as high managerial agents acting within the scope of their employment and on behalf of corporate Defendant, MEDI CAB CORP, acting in concert with each other and with others known and unknown, stole property and the value of the property exceeded Fifty Thousand Dollars (\$50,000.00), *to wit*: on said dates and locations, Defendants JOHN GOUZOS and RICHARD SEHL (A/K/A "HOJO"), individually and by directing employees of MEDI CAB CORP that were under their supervision, pursuant to a single ongoing intent, knowingly submitted and caused to be submitted to the New York State Medical Assistance Program ("Medicaid") claims for reimbursement for transportation services that falsely represented MEDI CAB CORP'S full compliance with all applicable laws, rules and regulations of the Medicaid program when, in fact, those claims were invalid for reimbursement due to the payment of unlawful kickbacks to Medicaid recipients and the false representation of the actual mileage of claimed trips in order to increase Medicaid payments to MEDI CAB CORP. In reliance on the Defendants' false claims, Medicaid, through its fiscal agent, paid MEDI CAB CORP in excess of fifty thousand dollars (\$50,000.00) to which it was not entitled.

COUNT TWO

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants JOHN GOUZOS, RICHARD SEHL (A/K/A “HOJO”), and MEDI CAB CORP of the crime of **HEALTH CARE FRAUD IN THE SECOND DEGREE**, in violation of Penal Law §177.20, committed as follows:

That between on or about January 1, 2022 and December 31, 2022, in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A “HOJO”), individually and as high managerial agents acting within the scope of their employment and on behalf of corporate Defendant, MEDI CAB CORP, acting in concert with each other and with others known and unknown, with intent to defraud a health plan, knowingly and willfully provided materially false information and omitted material information for the purpose of requesting payment from a health plan for a health care item or service and, as a result of such information and omission, received payment or a portion of the payment, as the case may be, from a single health plan, in a period of not more than one year, exceeding Fifty Thousand Dollars (\$50,000.00) in the aggregate, which they were not entitled under the circumstances, *to wit*: on said dates and locations, to inflate the amount of money the Medicaid program paid to MEDI CAB CORP, JOHN GOUZOS and RICHARD SEHL (A/K/A “HOJO”), individually and by directing MEDI CAB CORP employees under their supervision, knowingly and willfully, on more than one occasion, submitted claims for payment to the Medicaid program that were invalid for reimbursement due to the payment of unlawful kickbacks to Medicaid recipients and the false representation of the actual mileage of claimed trips in order to increase Medicaid payments to MEDI CAB CORP, and as a result wrongfully received from Medicaid in excess of Fifty Thousand Dollars (\$50,000.00) in the aggregate to which they were not entitled.

COUNT THREE

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants, JOHN GOUZOS, RICHARD SEHL, MEDI CAB CORP, and JAYS AUTO CARE INC. of the crime of **MONEY LAUDERING IN THE FOURTH DEGREE**, in violation of Penal Law § 470.05(1)(a)(i)(A), (b) committed as follows:

That between on or about November 10, 2022 and March 30, 2023, in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A "HOJO"), individually and as high managerial agents acting within the scope of their employment and on behalf of corporate Defendants, MEDI CAB CORP and JAYS AUTO CARE INC., acting in concert with each other and with others known and unknown, knowing that the property involved in one or more financial transactions represented the proceeds of criminal conduct, Defendants conducted one or more such financial transactions which in fact involved the proceeds of specified criminal conduct with intent to promote the carrying on of criminal conduct and the total value of the property involved in such financial transactions exceeded Five Thousand Dollars (\$5,000.00).

COUNT FOUR

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants, JOHN GOUZOS, RICHARD SEHL (A/K/A "HOJO"), MEDI CAB CORP, and HOJO DETAIL CENTER INC. of the crime of **MONEY LAUDERING IN THE FOURTH DEGREE**, in violation of Penal Law § 470.05(1)(a)(i)(A), (b) committed as follows:

That between on or about November 10, 2022 and March 30, 2023, in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A "HOJO"), individually and as high managerial agents acting within the scope of their employment and on behalf of corporate Defendants, MEDI CAB CORP and HOJO DETAIL CENTER INC., acting in concert with each other and with others known and unknown, knowing that the property involved in one or more financial transactions represented the proceeds of criminal conduct, Defendants conducted one or more such financial transactions which in fact involved the proceeds of specified criminal conduct with intent to promote the carrying on of criminal conduct and the total value of the property involved in such financial transactions exceeded Five Thousand Dollars (\$5,000.00).

COUNT FIVE

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants: JOHN GOUZOS, RICHARD SEHL (A/K/A “HOJO”), and MEDI CAB CORP of the crime of **PERSONS ACTING IN CONCERT WITH A MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES (KICKBACKS)** in violation of Social Services Law § 366-d(2)(b)(ii), (4), committed as follows:

That between on or about December 20, 2021 and March 31, 2023, in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A “HOJO”), individually and as high managerial agents acting within the scope of their employment with and on behalf of corporate Defendant, MEDI CAB CORP, acting in concert with each other and with others known and unknown, each being a medical assistance provider, offered, agreed to give and gave payment and other consideration in any form to another person to the extent such payment and other consideration was given to purchase, lease and order any good, facility, service or item for which payment was made under Title Eleven of Article Five of the Social Services Law and thereby obtained money or property having a value in excess of Seven Thousand Five Hundred Dollars (\$7,500.00), *to wit*: on said dates and locations, Defendants paid and caused others in Defendants’ control to pay J.M., a Medicaid recipient whose full name is known to the Grand Jury, to order taxi services from MEDI CAB CORP, an enrolled Medicaid provider, and, as a result, Defendants received in excess of Seven Thousand Five Hundred Dollars (\$7,500.00).

COUNT SIX

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants: JOHN GOUZOS, RICHARD SEHL (A/K/A “HOJO”), and MEDI CAB CORP of the crime of **PERSONS ACTING IN CONCERT WITH A MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES (KICKBACKS)** in violation of Social Services Law § 366-d(2)(b)(ii), (4), committed as follows:

That between on or about December 20, 2021 and March 31, 2023, in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A “HOJO”), individually as high managerial agents acting within the scope of their employment with and on behalf of corporate Defendant, MEDI CAB CORP, acting in concert with each other and with others known and unknown, each being a medical assistance provider, offered, agreed to give and gave payment and other consideration in any form to another person to the extent such payment and other consideration was given to purchase, lease and order any good, facility, service or item for which payment was made under Title Eleven of Article Five of the Social Services Law and thereby obtained money or property having a value in excess of Seven Thousand Five Hundred Dollars (\$7,500.00), *to wit:* on said dates and locations, Defendants paid and caused others in Defendants’ control to pay Q.P., a Medicaid recipient whose full name is known to the Grand Jury, to order taxi services from MEDI CAB CORP, an enrolled Medicaid provider, and, as a result, Defendants received in excess of Seven Thousand Five Hundred Dollars (\$7,500.00).

COUNT SEVEN

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants: JOHN GOUZOS, RICHARD SEHL (A/K/A "HOJO"), and MEDI CAB CORP of the crime of **PERSONS ACTING IN CONCERT WITH A MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES (KICKBACKS)** in violation of Social Services Law § 366-d(2)(b)(ii), (4), committed as follows:

That between on or about December 20, 2021 to March 31, 2023, in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A "HOJO"), individually as high managerial agents acting within the scope of their employment with and on behalf of corporate Defendant, MEDI CAB CORP, acting in concert with each other and with others known and unknown, each being a medical assistance provider, offered, agreed to give and gave payment and other consideration in any form to another person to the extent such payment and other consideration was given to purchase, lease and order any good, facility, service or item for which payment was made under Title Eleven of Article Five of the Social Services Law and thereby obtained money or property having a value in excess of Seven Thousand Five Hundred Dollars (\$7,500.00), *to wit*: on said dates and locations, Defendants paid and caused others in Defendants' control to pay P.W., a Medicaid recipient whose full name is known to the Grand Jury, to order taxi services from MEDI CAB CORP, an enrolled Medicaid provider, and, as a result, Defendants received in excess of Seven Thousand Five Hundred Dollars (\$7,500.00).

COUNT EIGHT

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants: JOHN GOUZOS, RICHARD SEHL (A/K/A “HOJO”), and MEDI CAB CORP of the crime of **PERSONS ACTING IN CONCERT WITH A MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES (KICKBACKS)** in violation of Social Services Law § 366-d(2)(b)(ii), (4), committed as follows:

That between, on or about, December 20, 2021 and March 31, 2023 in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A “HOJO”), individually as high managerial agents acting within the scope of their employment with and on behalf of corporate Defendant, MEDI CAB CORP, acting in concert with each other and with others known and unknown, each being a medical assistance provider, offered, agreed to give and gave payment and other consideration in any form to another person to the extent such payment and other consideration was given to purchase, lease and order any good, facility, service or item for which payment was made under Title Eleven of Article Five of the Social Services Law and thereby obtained money or property having a value in excess of Seven Thousand Five Hundred Dollars (\$7,500.00), *to wit:* on said dates and locations, Defendants paid and caused others in Defendants’ control to pay S.W., a Medicaid recipient whose full name is known to the Grand Jury, to order taxi services from MEDI CAB CORP, an enrolled Medicaid provider, and, as a result, Defendants received in excess of Seven Thousand Five Hundred Dollars (\$7,500.00).

COUNT NINE

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants, JOHN GOUZOS, RICHARD SEHL (A/K/A “HOJO”), and MEDI CAB CORP of the crime of **FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE** in violation of Penal Law § 175.10, committed as follows:

That on or about November 1, 2022 in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A “HOJO”), acting individually or in concert with another person, and as high managerial agents acting within the scope of their employment with and on behalf of corporate Defendant, MEDI CAB CORP, with intent to defraud, made and caused a false entry in the business records of an enterprise with an intent to commit another crime and to aid and conceal the commission thereof, *to wit*: a Medi Cab Corp trip sheet (also known as a “run sheet”) dated November 1, 2022, relating to S.W., a Medicaid recipient whose full name is known to the Grand Jury.

COUNT TEN

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants, JOHN GOUZOS, RICHARD SEHL (A/K/A “HOJO”), and MEDI CAB CORP of the crime of **FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE** in violation of Penal Law § 175.10, committed as follows:

That on or about December 6, 2022 in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A “HOJO”), acting individually or in concert with another person, and as high managerial agents acting within the scope of their employment with and on behalf of corporate Defendant, MEDI CAB CORP, with intent to defraud, made and caused a false entry in the business records of an enterprise with an intent to commit another crime and to aid and conceal the commission thereof, *to wit*: a Medi Cab Corp trip sheet (also known as a “run sheet”) dated December 6, 2022, relating to S.W., a Medicaid recipient whose full name is known to the Grand Jury.

COUNT ELEVEN

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants, JOHN GOUZOS, RICHARD SEHL (A/K/A “HOJO”), and MEDI CAB CORP of the crime of **FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE** in violation of Penal Law § 175.10, committed as follows:

That on or about March 2, 2023 in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A “HOJO”), acting individually or in concert with another person, and as high managerial agents acting within the scope of their employment with and on behalf of corporate Defendant, MEDI CAB CORP, with intent to defraud, made and caused a false entry in the business records of an enterprise with an intent to commit another crime and to aid and conceal the commission thereof, *to wit*: a Medi Cab Corp trip sheet (also known as a “run sheet”) dated March 2, 2023, relating to S.W., a Medicaid recipient whose full name is known to the Grand Jury.

COUNT TWELVE

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants, JOHN GOUZOS, RICHARD SEHL (A/K/A “HOJO”), and MEDI CAB CORP of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE** in violation of Penal Law § 175.35(1) committed as follows:

That on or about November 8, 2022 in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A “HOJO”), acting individually or in concert with another person, and as high managerial agents acting within the scope of their employment with and on behalf of corporate Defendant, MEDI CAB CORP, knowing that a written instrument contained a false statement and false information, with intent to defraud the State of New York, offered and presented the written instrument to a public office or public servant with the knowledge or belief that it would be filed with, registered, and recorded in or otherwise become a part of the records of such public office or public servant, *to wit:* a Medicaid claim for payment that listed November 1, 2022 as the date of service and bore Transaction Control Number 2231200089522330.

COUNT THIRTEEN

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants, JOHN GOUZOS, RICHARD SEHL (A/K/A “HOJO”), and MEDI CAB CORP of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE** in violation of Penal Law § 175.35(1) committed as follows:

That on or about December 12, 2022 in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A “HOJO”), acting individually or in concert with another person, and as high managerial agents acting within the scope of their employment with and on behalf of corporate Defendant, MEDI CAB CORP, knowing that a written instrument contained a false statement and false information, with intent to defraud the State of New York, offered and presented the written instrument to a public office or public servant with the knowledge or belief that it would be filed with, registered, and recorded in or otherwise become a part of the records of such public office or public servant, *to wit*: a Medicaid claim for payment that listed December 6, 2022 as the date of service and bore Transaction Control Number 2234600237727230.

COUNT FOURTEEN

The Grand Jury of the County of Rensselaer, State of New York, by this Indictment, accuses the Defendants, JOHN GOUZOS, RICHARD SEHL (A/K/A "HOJO"), and MEDI CAB CORP of the crime of **OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE** in violation of Penal Law § 175.35(1) committed as follows:

That on or about March 8, 2023 in the County of Rensselaer and elsewhere in the State of New York, Defendants, JOHN GOUZOS and RICHARD SEHL (A/K/A "HOJO"), acting individually or in concert with another person, and as high managerial agents acting within the scope of their employment with and on behalf of corporate Defendant, MEDI CAB CORP, knowing that a written instrument contained a false statement and false information, with intent to defraud the State of New York, offered and presented the written instrument to a public office or public servant with the knowledge or belief that it would be filed with, registered, and recorded in or otherwise become a part of the records of such public office or public servant, *to wit*: a Medicaid claim for payment that listed March 2, 2023 as the date of service and bore Transaction Control Number 2306700104785130.