

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States District Court
Southern District of Texas
FILED

JUL 11 2017

UNITED STATES OF AMERICA

v.

TEDDI CHRISTINA LUCILLE
PICKETT, a/k/a Christina Pickett,
Christine, Ebony,

Defendant.

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Criminal No.

David J. Bradley, Clerk of Court

17 CR 428

INFORMATION

The United States Attorney for the Southern District of Texas charges:

General Allegations

At all times material to this Information, unless otherwise specified:

1. The Medicare Program (Medicare) was a federal healthcare program providing benefits to individuals who were the age of 65, or older, or disabled. Medicare was administered by the United States Department of Health and Human Services, through its agency, the Centers for Medicare and Medicaid Services (CMS). Individuals receiving benefits under Medicare were referred to as Medicare “beneficiaries.”

2. Medicare was a “health care benefit program” as defined by Title 18, United States Code, Section 24(b).

3. Medicare was subdivided into different parts. “Part A” of the Medicare program covered certain eligible home-healthcare costs for medical services provided by a home healthcare agency (“HHA”) to beneficiaries requiring home-health services because of an illness or disability causing them to be homebound. Payments for home-healthcare services were typically made directly to a HHA based on claims submitted to the Medicare program for

qualifying services that had been provided to eligible beneficiaries, rather than to the beneficiaries. “Part B” of the Medicare program covered the cost of physicians’ services, outpatient care, and other ancillary services not covered by Part A.

4. Physicians, clinics, and other healthcare providers, including HHAs, that provided services to Medicare beneficiaries, were able to apply for and obtain a Medicare provider number. A healthcare provider that was issued a Medicare provider number was able to file claims with Medicare to obtain reimbursement for services provided to beneficiaries. A Medicare claim was required to set forth, among other things, the beneficiary’s name and Medicare identification number, the services that were performed for the beneficiary, the date the services were provided, the cost of the services, and the name and identification number of the physician or other healthcare provider that ordered the services.

5. The Medicare program paid for home healthcare services only if the patient qualified for home healthcare benefits. A patient qualified for home healthcare benefits only if:

- a. the patient was confined to the home, also referred to as homebound;
- b. the patient was under the care of a physician who specifically determined there was a need for home healthcare and established the Plan of Care (POC); and
- c. the determining physician signed a certification statement specifying that:
 - i. the beneficiary needed intermittent skilled nursing services, physical therapy, or speech therapy;
 - ii. the beneficiary was confined to the home;
 - iii. a POC for furnishing services was established and periodically reviewed;and

iv. the services were furnished while the beneficiary was under the care of the physician who established the POC.

6. Medicare regulations required HHAs providing services to Medicare patients to maintain complete and accurate medical records reflecting the medical assessment and diagnoses of their patients, as well as records documenting actual treatment of the patients to whom services were provided and for whom claims for payment were submitted by the HHA.

7. These medical records were required to be sufficient to permit Medicare, through its contractors, to review the appropriateness of Medicare payments made to the HHA.

8. Medicare Part B Providers, such as physicians, were reimbursed 80% of the allowed amount covered by Medicare. The Medicare beneficiary was responsible for the coinsurance amount equal to the remaining 20% of the allowed amount. For patients dually eligible for Medicare and Medicaid, Medicaid generally paid the 20% of the allowed amount not covered by Medicare.

9. Defendant **TEDDI-CHRISTINA LUCILLE PICKETT, a/k/a Christina Pickett, Christine, Ebony** (TEDDI-CHRISTINA LUCILLE PICKETT), a resident of Harris County, Texas, owned and operated several group homes and was a patient recruiter for multiple home healthcare agencies in the greater Houston area.

10. Physician A, a resident of Harris County, Texas, was a physician licensed to practice medicine in the State of Texas. Physician A was enrolled as a Medicare provider and submitted Part B claims to Medicare and was the owner and operator of a family medical clinic (the Clinic).

11. Constance Umeh-Nnadi, a resident of Harris County, Texas, was the owner, director of nursing, and administrator of CNN Home Health Agency, Inc. (CNN), a home healthcare agency. CNN submitted claims to Medicare for home healthcare services.

12. Magdalene Akharamen, a resident of Harris County, Texas, was a registered nurse and an Owner, Director, Administrator, and Managing Employee of Texas Tender Care, Inc. (TTC), a home healthcare agency. TTC submitted claims to Medicare for home healthcare services.

COUNT 1
Conspiracy to Defraud the United States and to
Pay and Receive Health Care Kickbacks
(18 U.S.C. § 371)

13. Paragraphs 1 through 12 of this Information are realleged and incorporated by reference as if fully set forth herein.

14. From in and around 2012 through in and around 2016, the exact dates being unknown, in the Houston Division of the Southern District of Texas, and elsewhere, the Defendant,

TEDDI-CHRISTINA LUCILLE PICKETT,
a/k/a Christina Pickett, Christine, Ebony

did knowingly and willfully combine, conspire, confederate and agree with Physician A, Constance Umeh-Nnadi, Magdalene Akharaman, and others known and unknown, to commit certain offenses against the United States, that is,

- a. to defraud the United States by impairing, impeding, obstructing and defeating through deceitful and dishonest means, the lawful government functions of the United States Department of Health and Human Services in its administration and oversight of the Medicare program;

b. to violate Title 42, United States Code, Section 1320a-7b(b)(1), by knowingly and willfully soliciting and receiving remuneration, specifically, kickbacks and bribes, directly and indirectly, overtly and covertly, in return for referring individuals for the furnishing and arranging for the furnishing of any item and service for which payment may be made in whole or in part by Medicare; and for the purchasing, leasing, ordering and arranging for and recommending the purchasing, leasing and ordering of any good, item and service for which payment may be made in whole and in part by a Federal health care program, that is, Medicare; and

c. to violate Title 42, United States Code, Section 1320a-7b(b)(2), by knowingly and willfully offering to pay and paying remuneration, specifically, kickbacks and bribes, directly and indirectly, overtly and covertly, in return for referring individuals for the furnishing and arranging for the furnishing of any item and service for which payment may be made in whole or in part by Medicare; and for the purchasing, leasing, ordering and arranging for and recommending the purchasing, leasing and ordering of any good, item and service for which payment may be made in whole and in part by a Federal health care program, that is, Medicare.

Purpose of the Conspiracy

15. It was a purpose of the conspiracy for the Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** and her coconspirators to unlawfully enrich themselves by paying and receiving kickbacks and bribes in exchange for the referral of Medicare beneficiaries for whom CNN, TTC, and other home healthcare agencies submitted claims to Medicare for home healthcare services.

Manner and Means of the Conspiracy

The manner and means by which the Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** and her coconspirators sought to accomplish the purposes and objects of the conspiracy included, among other things:

16. CNN, TTC, and Physician A would maintain a Medicare provider number that the Defendant's coconspirators would use to submit claims to Medicare for home healthcare services and Part B services, respectively.

17. Owners and employees of home healthcare agencies would pay and cause the payment of kickbacks to patient recruiters, also known as "community liaisons" or "marketers," in exchange for the recruiters' sending Medicare beneficiaries to home healthcare agencies for home healthcare services. Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** was one such patient recruiter.

18. Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** operated group homes in the greater Houston area, within the Southern District of Texas, where she purportedly provided living accommodations to individuals, many of whom were Medicare beneficiaries, in exchange for a fee.

19. Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** referred many of the individuals living at her group homes to home healthcare agencies for home healthcare services in exchange for payment from the home healthcare agencies.

20. Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** referred Medicare beneficiaries to home healthcare agencies for admission or re-admission to home healthcare services even though they did not qualify for such services under Medicare.

21. Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** brought Medicare patients to a physician's office, including the Clinic, Physician A's practice, to obtain certifications for home healthcare services. The Defendant paid a "copayment" or fee to the physician's office, including to the Clinic, Physician A's practice, to obtain that certification for home healthcare services.

22. Constance Umeh-Nnadi and Magdalene Akharaman offered to pay and paid Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** for each patient the Defendant referred for home healthcare services.

23. Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** offered to pay and paid Medicare beneficiaries in exchange for allowing home healthcare agencies to use their Medicare information to bill Medicare for home healthcare services that the Medicare beneficiaries did not need, qualify for, or receive.

24. From in and around 2012 through in and around 2016, **TEDDI-CHRISTINA LUCILLE PICKETT** caused to be submitted approximately \$218,337.99 in claims to Medicare for home healthcare services purportedly provided by home healthcare agencies and related Part B services purportedly provided by Physician A, who signed the home healthcare orders, to beneficiaries referred by the Defendant. Medicare paid approximately \$207,474.58 for those claims.

All in violation of Title 18, United States Code, Section 371.

Overt Acts

25. In furtherance of the conspiracy, and to accomplish its objects and purposes, the conspirators committed and caused to be committed, in the Houston Division of the Southern District of Texas, the following overt acts:

a. Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** received healthcare kickbacks from Constance Umeh-Nnadi in exchange for sending Medicare beneficiaries to CNN for home healthcare services.

b. Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** received healthcare kickbacks from Magdalene Akharaman in exchange for sending Medicare beneficiaries to TTC for home healthcare services.

c. Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** received healthcare kickbacks from other home healthcare agencies in exchange for sending Medicare beneficiaries to the agencies for home healthcare services.

d. From in and around 2012 through in and around 2016, Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** paid and offered to pay kickbacks and bribes to Medicare beneficiaries in exchange for allowing the home healthcare agencies to use the Medicare beneficiaries' Medicare numbers to submit claims to Medicare for home healthcare services.

e. On or about August 5, 2014, Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** paid or caused payment of approximately \$85 as a "copayment" to the Clinic, Physician A's medical practice, for Medicare beneficiary B.A. TTC submitted or caused to be submitted a claim for approximately \$900 to Medicare for home healthcare services purportedly provided to beneficiary B.A. from on or about August 6, 2014 through on or about August 21, 2014. Medicare paid TTC approximately \$365 on that claim.

f. Home healthcare agencies, including CNN and TTC, submitted or caused to be submitted claims to Medicare for home healthcare services purportedly provided to those Medicare beneficiaries.

All in violation of Title 18, United States Code, Section 371.

NOTICE OF CRIMINAL FORFEITURE
(18 U.S.C. § 982(a)(7))

Pursuant to Title 18, United States Code, Section 982(a)(7), the United States of America gives notice to the Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** that, upon conviction all property, real or personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of such offense is subject to forfeiture.

Money Judgment

Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** is notified that upon conviction, a money judgment may be imposed equal to the total value of the property subject to forfeiture, which is *at least* \$207,000.

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Substitute Assets

Defendant **TEDDI-CHRISTINA LUCILLE PICKETT** is notified that in the event that one or more conditions listed in Title 21, United States Code, Section 853(p) exists, the United States will seek to forfeit any other property of the Defendant up to the total value of the property subject to forfeiture.

ABE MARTINEZ
ACTING UNITED STATES ATTORNEY

A handwritten signature in black ink that reads "Aleza Remis". The signature is written in a cursive, flowing style.

ALEZA REMIS
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