

NEWS RELEASE



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For Immediate Release

**SAN DIEGO PSYCHOLOGIST SENT TO PRISON IN \$1.5 MILLION
DOLLAR FRAUD SCHEME**

NEWS RELEASE SUMMARY – May 29, 2013

United States Attorney Laura E. Duffy announced that Roberto J. Velasquez, a San Diego area clinical psychologist, was sentenced today for perpetrating a multi-year fraud scheme to falsify medical certifications to the federal government. In today's court hearing, Chief District Judge Barry Ted Moskowitz sentenced Velasquez to serve 21 months in federal prison, followed by two years of supervised release and ordered Velasquez to pay more than \$1.5 million in restitution to the Social Security Administration.

According to court documents, Velasquez masterminded a scheme whereby he falsely certified that dozens of patients were disabled, when in fact they were not. To further the fraud, Velasquez made up patient histories, fabricated test results, suggested symptoms and complaints that did not exist, intentionally underestimated patient scores on standardized tests, and lied about

the length of time he had been seeing the patients. In exchange for each false report, Velasquez charged his patients a \$200 kickback.

In his plea agreement, Velasquez admitted that he falsified two different types of disability reports. First, Velasquez falsified Medical Certification for Disability Exception Forms (Forms N-648), which are used by the Department of Homeland Security during the naturalization process. Velasquez's false certifications allowed certain immigrants to avoid taking the English language and Civics portions of the U.S. citizenship exam. Based on the fraudulent N-648 forms, the Department of Homeland Security granted disability exemptions to approximately 50 immigrants who were not actually disabled.

Velasquez also admitted that he submitted fraudulent medical reports to the Social Security Administration, falsely certifying that certain patients were eligible for disability benefits when he knew they were not. Beginning in 2006, and continuing up to the date of Velasquez's arrest in April 2012, the Social Security Administration paid out at least \$1.5 million in unwarranted disability benefits based on Velasquez's false certifications. Velasquez also admitted that approximately 33% of his patient files contained fabrications, false statements, and false certifications of disability.

The fraud was uncovered through an undercover operation conducted jointly by the Department of Homeland Security, Immigration and Customs Enforcement/Homeland Security Investigations, and the Office of Inspector General, Social Security Administration. The investigation revealed Velasquez's disregard for federal disability requirements. He coached his patients who were attempting to skirt the citizenship requirements, instructing them to use poor English during their interviews and not mention that they had a college education. Velasquez also lied about the length of time he had been treating his patients, in order to create a "track record" that would satisfy reviewers at the Social Security Administration, where he had previously worked as a consultant.

This prosecution is a part of the United States Attorney’s Health Care Fraud initiative. United States Attorney Duffy noted, “Combating health care fraud is a top priority of the Department of Justice. Rather than exercising his professional medical judgment to help his patients, this Defendant corrupted the integrity of the system in order to line his own pockets.”

“This investigation uncovered a multi-year fraudulent scheme that exploited the naturalization process for an illicit gain,” said Derek Benner, special agent in charge for HSI San Diego. “HSI is committed to working closely with our counterparts at USCIS to aggressively pursue those who seek their own enrichment by perpetuating immigration benefit fraud that undermines the integrity of America’s legal immigration system.”

Social Security Administration, Office of Inspector General Special Agent in Charge David F. Butler added, “The egregious nature of this crime, facilitated by a trained, qualified clinical practitioner who was entrusted to certify his patients’ disabilities to the federal government for purposes of determining their eligibility for Social Security benefits, cannot and will not be tolerated by the Social Security Administration’s Office of the Inspector General. When brought to our attention, we will aggressively investigate all individuals who are paid and trusted by the government to provide material information concerning an individual’s benefit eligibility.”

DEFENDANT

CRIMINAL CASE NO. 12cr1750-BTM

Roberto J. Velasquez

SUMMARY OF CHARGES

Count One - Title 18, United States Code, Section 1546 – False Statements in Immigration Documents

Count Two - Title 42, United States Code, Section 1383a(a)(2) - False Statements in Applications for SSI Disability Benefits

INVESTIGATING AGENCIES

United States Immigration and Customs Enforcement’s Homeland Security Investigations
Office of Inspector General, Social Security Administration