



Department of Justice

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WILBANKS

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MOSS POINT HUSBAND AND WIFE SENTENCED TO PRISON FOR HEALTH CARE FRAUD

Gulfport, Miss - LaTancia "Lala" McMillan Rogers and Wayne Rogers, husband and wife, of Moss Point, Mississippi, were sentenced to federal prison today by Senior United States District Judge Walter J. Gex, III. LaTancia "Lala" Rogers was sentenced to serve 15 years and 8 months in federal prison, while her husband, Wayne Rogers, was sentenced to serve 11 years and 3 months. In addition, both defendants were ordered to forfeit a home they jointly owned in Moss Point, and a money judgment in the amount of \$8,160,655.69. In addition to the forfeiture, both defendants were ordered to pay restitution in the amount of \$8,160,655.69.

Both of the Rogers were convicted by a jury on May 24th 2010, of Conspiracy to Defraud the United States and Theft of Government Funds. Lala Rogers was also convicted of three counts of Health Care Fraud and two counts of Making a False Statement Relating to Health Care. Both defendants remain in the custody of the United States Marshal.

Jim Davis Hull, a former municipal judge and attorney from Moss Point, testified during the trial. Hull had previously pled guilty to his role in Primary Physical Medicine, as well as two other so called "Physical Medicine" clinics. Hull pled guilty and cooperated with the government in its prosecutions of several of his co-conspirators, including his ex-wife, Pamela Hull. Hull, who also forfeited a money judgment in the amount of \$8,160,655.69, and must pay the same amount in additional restitution, is presently serving a five year sentence in federal prison.

The evidence at trial showed that Lala Rogers ran the day to day operations of Primary Physical Medicine, Inc., which had offices in Gautier, Durant, and Tupelo. Primary Physical Medicine, Inc., falsely claimed to provide physical therapy services to Medicare beneficiaries in their homes. Lala Rogers oversaw the scheme, which consisted of claims being submitted to Medicare that represented that the therapy services had been provided by a doctor. The evidence at trial showed that none of the services that were billed to Medicare were provided by a doctor. Instead, the therapy services were overseen by Wayne Rogers, who was not a physician or a physical therapist. The evidence at trial showed that Wayne Rogers trained other employees to provide "therapy" services. These employees had no previous experience in physical therapy and were trained for about two weeks before being sent alone into the homes of Medicare beneficiaries. The evidence also showed that the defendants over billed Medicare for the services they claimed to have rendered. Primary Physical Medicine, Inc., routinely submitted claims to Medicare that alleged the therapy services lasted between five to nine hours per patient, per day.

Over the course of eighteen months, the defendants billed Medicare for false claims of more than \$18,000,000.00 dollars, and were paid more than \$8,000,000.00.

The case was investigated by the Office of the Inspector General of the United States Department of Health and Human Services and the Federal Bureau of Investigation. Assistant United States Attorney Scott Gilbert and Special Assistant United States Attorney David Blank prosecuted the case on behalf of the United States.

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