

# Department of Justice

United States Attorney William J. Hochul, Jr.  
Western District of New York

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FOR IMMEDIATE RELEASE  
SEPTEMBER 8, 2011  
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## **MAN CHARGED WITH VIOLATION OF HIPAA AND MAKING FALSE STATEMENTS**

BUFFALO, N.Y.—The United States Attorney's Office announced today that John Edward Cipolla, of Niagara Falls, Ontario, was charged by Criminal Complaint with making a false statement to government authorities and with violating the Health Insurance Portability and Accountability Act of 1996. The charges carry a maximum penalty of 10 years in prison, and a fine of \$250,000.

Assistant U.S. Attorney Aaron J. Mango, who is handling the case, stated that the case began when confidential medical records were found abandoned in a dumpster behind the Erie County Auto Bureau office in Cheektowaga, NY on June 2, 2010. The investigation revealed that the records belonged to Avalon Centers Inc., a former eating disorder clinic located in Clarence, NY, and that the defendant obtained the records in the hopes of re-opening the clinic. As alleged in the Complaint, Cipolla told government agents that he did not look through the records he took from Avalon's office and that there were no patient files in those records. In addition, the defendant is charged with improperly obtaining and disclosing individually identifiable health information. Cipolla was arrested in Hawaii on August 5, 2011.

The Criminal Complaint is the culmination of an investigation on the part of Special Agents of the Federal Bureau of Investigation, under the direction of Christopher M. Piehota, Special Agent in Charge and Special Agents of the U.S. Department of Health and Human Services, Office of Inspector General, Office of Investigations under the direction of Thomas O'Donnell, Special Agent in Charge.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty.