Claims for Restitution by Victims of Former Oncologist Farid Fata’s Cancer Treatments Scheme are Being Approved

Farid Fata, a former hematologist-oncologist, pleaded guilty to health care fraud, money laundering, and conspiracy to pay or receive kickbacks. As part of the defendant’s scheme, he deliberately administered medically unnecessary injections and infusions to patients, including chemotherapy, iron, cancer treatment drugs, and other medications. The district court judge imposed a sentence of 45 years in prison. During the prosecution, the government seized approximately $11.9 million. In an effort to return the money seized from Fata to his patients and their heirs, the Department of Justice has voluntarily instituted a restitution process and retained a Facilitator to assist the Department of Justice in the process.

As described in the Report of the Facilitator, which can be found at https://www.justice.gov/usao-edmi/us-v-farid-fata-court-docket-13-cr-20600 (1/12/2017 posting), the Department of Justice has always been on victims’ side in an effort to make the complicated process of federal restitution as easy as possible for patients who we know are suffering emotionally, physically, and financially.

At the end of July, those former patients and heirs who submitted claims for restitution received a “Provisional Decision Letter” from the Facilitator, Ms. Randi Ilyse Roth, describing her preliminary recommendation regarding their claims. Ms. Roth has preliminarily approved 74% of the claims submitted in part or in full. For those who
received a preliminary denial of any part of their claim, the “Provisional Decision Letter” explains, “If you do not agree with this outcome, you may request reconsideration.” Reconsideration allows each claimant who was denied all or any portion of their claim to submit any missing paperwork and ask the Facilitator to reconsider their claim. Any requests for reconsideration must be postmarked on or before August 23. Once the reconsideration process by the Facilitator is complete, claimants will have an opportunity to request review by a magistrate judge if they believe a mistake has been made regarding the recommendation by the Facilitator. Ultimately, final restitution decisions will be made by the Court.

We are urging claimants, who do not understand why all or a portion of their claims were denied, to call the Facilitator’s toll-free number to get their questions answered: 1-877-202-3282. Highly trained, phone agents are there to assist victims. The Justice Department’s goal continues to be the distribution of Fata’s assets to every former patient or heir who submits an eligible claim for restitution. The Department recognizes that the prosecution and now the process of federal restitution has been difficult for victims and their families and that is why we have attempted to assist the former patients and family members of patients every day since August of 2013. We continue to be available to assist by having the toll-free line available every business day from 9:00am to 8:00pm.