

DAF/2018R01111

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Criminal No. 25-64
	:	
v.	:	18 U.S.C. § 1347
	:	
PAIN SPECIALISTS, P.A.	:	<u>INFORMATION</u>
	:	

The defendant having waived in open court prosecution by indictment, the Attorney for the United States, acting pursuant to authority conferred by 28 U.S.C. § 515, charges:

**COUNT 1**  
**(Health Care Fraud)**

1. At all times relevant to this Criminal Information:
  - a. Defendant PAIN SPECIALISTS, P.A. (“PAIN SPECIALISTS”), a New Jersey professional association, was a pain management clinic chain with several locations in New Jersey.
  - b. Individual-1 was a physician specializing in anesthesia and pain management and the owner of PAIN SPECIALISTS.
  - c. Defendant PAIN SPECIALISTS, through Individual-1, was enrolled as a provider in Medicaid, Medicare, and private health insurance and employee benefit plans, including “Private Insurance Company 1,” “Private Insurance Company 2,” “Private Insurance Company 3,” and “Private Insurance Company 4” (collectively “the Private Insurance Plans”). Medicaid, Medicare, and

the Private Insurance Plans billed by defendant PAIN SPECIALISTS were “health care benefit programs” affecting commerce as defined in 18 U.S.C. § 24(b).

d. Claims for medical services and procedures submitted to Medicaid, Medicare, and the Private Insurance Plans were required to accurately reflect, among other things: (i) the procedure performed or service rendered; (ii) the date of the provided service or item; (iii) the patient’s name; and (iv) the name of the rendering physician or health care professional.

e. Health care professionals who provided treatment to patients were identified in insurance claims using a National Provider Identifier (“NPI”) number unique to each provider. Individual-1 had his own unique NPI number, which he utilized for services and procedures at PAIN SPECIALISTS. Other health care providers at PAIN SPECIALISTS maintained their own NPI numbers for billing purposes.

f. Medicaid, Medicare, and the Private Insurance Plans required that health care professionals who provided treatment to patients be identified in claims by their NPI number. For certain types of services and procedures, Medicaid, Medicare, and the Private Insurance Plans only reimbursed for claims if the health care professional whose NPI number was used on the claim performed an in-person examination with the patient or was available to directly supervise the rendering provider.

**The Scheme to Defraud**

2. From in or about November 2015 through in or about January 2020, in the District of New Jersey and elsewhere, defendant

PAIN SPECIALISTS, P.A.

knowingly and willfully executed and attempted to execute a scheme and artifice to defraud health care benefit programs and to obtain by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody or control of, such health care benefit programs in connection with the delivery of and payment for health care benefits, items, and services.

3. On various dates between November 2015 and January 2020 when Individual-1 was traveling and not physically present at a PAIN SPECIALISTS location, PAIN SPECIALISTS used Individual-1's NPI number to bill Medicare, Medicaid, and the Private Insurance Plans for services and procedures requiring Individual-1's in-person consultation or Individual-1's direct supervision of the rendering provider.

4. Between November 2015 and January 2020, Medicaid, Medicare, and the Private Insurance paid PAIN SPECIALISTS approximately \$58,365.26 for services purportedly rendered by Individual-1 or directly supervised by him while he was traveling and out of the office.

In violation of Title 18, United States Code, Section 1347.

**FORFEITURE ALLEGATION**

1. As a result of committing the offense alleged in this Criminal Information, defendant PAIN SPECIALISTS shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(7), all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, representing all property constituting or derived from proceeds traceable to the commission of the offense to which it pleads guilty.

2. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.



VIKAS KHANNA

Attorney for the United States

Acting Under Authority Conferred by 28 U.S.C. § 515

CASE NUMBER: 24-cr-

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United States District Court  
District of New Jersey

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UNITED STATES OF AMERICA

v.

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INFORMATION FOR  
18 U.S.C. § 1347

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VIKAS KHANNA  
ATTORNEY FOR THE UNITED STATES,  
ACTING PURSUANT TO AUTHORITY CONFERRED BY 28 U.S.C. § 515  
NEWARK, NEW JERSEY

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