

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 18-
 :
 v. : 18 U.S.C. § 1035
 :
 LYDA MONTE : INFORMATION

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information:
 - a. Nueva Vida Behavioral Center of New Jersey, Inc. (“Nueva Vida”) was a New Jersey nonprofit corporation with offices in Camden, New Jersey; and
 - b. Defendant LYDA MONTE was a resident of Bellmawr, New Jersey and a psychiatrist at Nueva Vida.
2. At all relevant times, the Medicaid Program was a jointly funded, federal-state health insurance program that provided certain health benefits to the disabled, as well as to individuals and families with low income and resources. The federal government provided matching funds to Medicaid and ensured that states complied with minimum standards in the administration of the program.
3. In New Jersey, Medicaid (“NJ Medicaid”) was administered by the New Jersey Department of Human Services and predecessor agencies. NJ Medicaid was a “health care benefit program” as defined in 18 U.S.C. § 24(b).
4. Payment of a claim by NJ Medicaid was conditioned upon certification by a provider that the claims and underlying transactions billed by the provider complied with all

applicable law, regulations, program instructions, and conditions of participation in NJ Medicaid. NJ Medicaid periodically audited providers to verify their compliance with applicable laws, regulations, program instructions, and conditions of participation.

5. Nueva Vida held itself out as a provider of outpatient mental health and psychiatric services to the Camden community. The majority of Nueva Vida's patients were Medicaid beneficiaries.

6. From 2006 forward, Nueva Vida entered into Medicaid provider agreements with the New Jersey Department of Human Services and predecessor agencies in which Nueva Vida agreed to comply with all applicable federal and state laws, regulations, and policies.

7. Nueva Vida regularly submitted bills to NJ Medicaid claiming that Nueva Vida provided mental health treatment to its Medicaid patients. Nueva Vida personnel prepared bills on computers using billing software and then submitted claims electronically to NJ Medicaid.

8. Defendant LYDA MONTE signed false and fraudulent treatment plans, including treatment plans reflecting treatment that was not actually done with patients, in order to meet NJ Medicaid requirements and allow Nueva Vida to pass NJ Medicaid audits.

9. From in or about January 2010 through in or about August 2016, in Camden County, in the District of New Jersey, and elsewhere, defendant

LYDA MONTE

did knowingly and willfully (1) falsify, conceal, and cover up by trick, scheme, and device a material fact, and (2) make materially false, fictitious, and fraudulent statements and representations, and make and use materially false writings and documents knowing the same to contain materially false, fictitious, and fraudulent statements and entries, in connection with the delivery of and payment for health care benefits, items, and services.

In violation of Title 18, United States Code, Section 1035.


CRAIG CARPENITO
United States Attorney

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v.

LYDA MONTE

INFORMATION

18 U.S.C. § 1035

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