

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

\*

CRIMINAL NO: 13-~~014~~<sup>101</sup>

VERSUS

\*

SECTION: "R" (3)

DEMETRIUS TEMPLE

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FACTUAL BASIS

The defendant, **DEMETRIUS TEMPLE** (defendant or **TEMPLE**) has agreed to plead guilty as charged to Count One of the Superseding Indictment now pending against her. The Superseding indictment charges her with violating Title 18, United States Code, Sections 1349 (Conspiracy to Commit Health Care Fraud) and 371 (Conspiracy to Pay Health Care Kickbacks). Both the Government and the defendant, **DEMETRIUS TEMPLE**, do hereby stipulate and agree that the following facts set forth a sufficient factual basis for the crimes to which the defendant is pleading guilty. The Government and **TEMPLE** further stipulate that the Government would have proven, through the introduction of competent testimony and admissible evidence, the following facts beyond a reasonable doubt, to support the allegations in the Superseding Indictment now pending against the defendant:

Background

Agents with the Federal Bureau of Investigation (FBI), the United States Department of Health and Human Services, Office of Inspector General (HHS-OIG), and/or the Louisiana Department of Justice Medicare Fraud Control Unit (LAMFCU) would testify, and records from the Louisiana Secretary of State would be admitted to establish, that **TEMPLE** was a resident of Louisiana and resided at 5050 West St. Andrews Circle, New Orleans, Louisiana 70128.

Documents in the custody of the FBI, HHS-OIG and LAMFCU would be admitted to show that Interlink Health Care Services, Inc. (Interlink), Memorial Home Health, Inc. (Memorial), and Lakeland Health Care Services, Inc. (Lakeland) were Louisiana companies owned and operated by Mark Morad (Morad). These documents would show that Morad obtained Medicare provider numbers for Interlink,

Memorial and Lakeland that allowed these companies to submit claims to Medicare and receive payments on those claims electronically. Bank records from Interlink, Memorial, and Lakeland would be admitted to show that Medicare made payments into the bank accounts of these companies as a result of claims submitted by these companies.

Records from the Louisiana Secretary of State would be admitted to establish that Goldwell Investments, Inc. (Goldwell) was a Louisiana Company and that Morad was its owner and Chief Executive Officer. Bank records from Capitol One Bank (Capitol One) will be admitted to show that Morad established at Capitol One a bank account for Goldwell numbered xxxxxx1382 (Goldwell Account), of which he had signature authority.

Records from the Louisiana Secretary of State would be admitted to show that Medical Specialists of New Orleans (MSNO) was a Louisiana company owned and operated by Paige Okpalobi.

#### **Home Health Care Services**

A witness with specialized knowledge of, and experience in, home health care in the Medicare system would testify regarding (1) the standards for reimbursement of home health care services in the Medicare system, (2) the typical circumstances and conditions under which a Medicare beneficiary would be certified as homebound, and (3) the manner in which home health services would typically be rendered to a Medicare beneficiary.

Medicare billing data and documents of Interlink, Memorial, and Lakeland would be admitted to show that each company submitted to Medicare claims that it rendered home health care services to clients located in the Eastern District of Louisiana and elsewhere. These documents and data would further establish that the clients enrolled to receive home health services at Interlink, Memorial, and Lakeland were beneficiaries of various health care benefit programs, as defined in Title 18, United States Code, Section 24, including Medicare.

Testimony from Medicare beneficiaries and Special Agents of the FBI, HHS-OIG, and LAMFCU, documents in the custody of the FBI, HHS-OIG and LAMFCU, and Medicare data of Interlink, Memorial, and Lakeland, would be admitted to show that MSNO employed physicians who

purportedly certified patients for home health care at Interlink, Memorial, and Lakeland.

**Conspiracy to Defraud Medicare**

Testimony from Special Agents of the FBI, HHS-OIG and LAMFCU, Medicare beneficiaries, and documents in the possession of the FBI, HHS-OIG, would be admitted to establish that from in or around December 2009 through in or around March 2013, **TEMPLE** agreed and conspired with others to recruit Medicare beneficiaries for the purpose of referring them to Interlink, Memorial, or Lakeland for home health services. This evidence would also show that, in furtherance of this conspiracy, **TEMPLE** obtained and sold the Medicare numbers of more than 1,000 Medicare beneficiaries (Temple Beneficiaries) to co-conspirators at Interlink, Memorial and Lakeland, knowing that these numbers would be used by these companies to bill Medicare for purported home health services.

Testimony from witnesses and documents in the possession of the FBI, HHS-OIG and LAMFCU would be admitted to establish that from in or around December 2009 through in or around March 2013, **TEMPLE** conspired with others to submit claims to Medicare for home health services that were not medically necessary and/or were not provided. Specifically, testimony from employees of Interlink, Memorial and Lakeland, and Temple Beneficiaries and their physicians, would be admitted to show that **TEMPLE** sold the Medicare information of Temple Beneficiaries to Interlink, Memorial and Lakeland knowing that (1) Temple Beneficiaries were not homebound and did not qualify for home health services in the Medicare system; (2) Temple Beneficiaries did not want and/or did not receive home health services; and (3) Interlink, Memorial and Lakeland would use the Medicare numbers of Temple Beneficiaries to submit claims to Medicare for home health services. This evidence would further demonstrate that **TEMPLE** accompanied and assisted physicians from MSNO when these physicians visited Temple Beneficiaries for the purpose of making home health certifications, knowing that these Temple Beneficiaries were not homebound and did not qualify for home health services in the Medicare system.

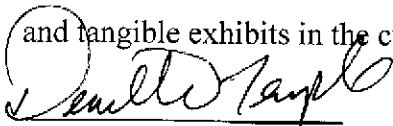
Medicare billing data from Interlink, Memorial and Lakeland would be admitted to show that these companies used the Medicare numbers sold to them by **TEMPLE** to submit claims to Medicare

resulting in the payment of approximately \$17,109,440.00 for home health services purportedly rendered by these companies to Temple Beneficiaries. Documents in the possession of the FBI, HHS-OIG and LAMFCU, including bank records from Interlink, Memorial and Lakeland, would be admitted to establish that Medicare made these payments into the bank accounts of Interlink, Memorial and Lakeland. These records and records from the Goldwell Account would show that after Medicare funds were paid into the Interlink, Memorial and Lakeland bank accounts, funds would be transferred from these accounts into the Goldwell Account.

Goldwell Account records, witness testimony, and documents in the possession of the FBI, HHS-OIG and LAMFCU, would be admitted to show that TEMPLE was paid from the Goldwell account in the range of approximately \$400 to \$500 for each Medicare beneficiary number that was used by Interlink, Memorial, or Lakeland to bill Medicare.

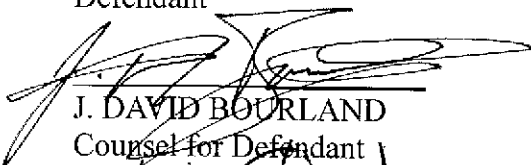
The facts described above emerge from an investigation conducted by the FBI, HHS-OIG, and LAMFCU, and would be proven at trial by credible testimony from Special Agents from the FBI, HHS-OIG, and/or LAMFCU, Medicare beneficiaries and their physicians, employees of Interlink, Memorial Lakeland, MSNO, and Goldwell, Medicare billing records from Interlink, Memorial, Lakeland and MSNO, business records from Interlink, Memorial, Lakeland, MSNO and Goldwell, and documents

and tangible exhibits in the custody of the FBI, HHS-OIG, and LAMFCU.



DEMETRIUS TEMPLE  
Defendant

9/18/14  
DATE



J. DAVID BOURLAND  
Counsel for Defendant

9-18-2014  
DATE



WILLIAM G. KANELIS  
Trial Attorney  
Fraud Section, Criminal Division  
United States Department of Justice

9-22-2014  
DATE