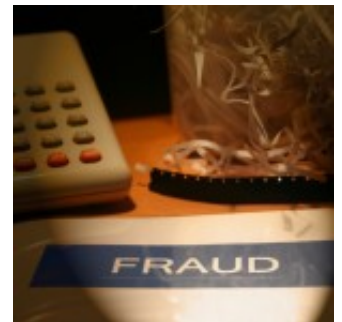


HEAT Strike Force Update: Prosecutions in Texas Increased in March 2010

HEAT Strike Force in Texas

The Federal government is taking considerable steps to stop [Medicare fraud and abuse](#). Notably, the number of publicly-disclosed HEAT Strike Force investigations and prosecutions in Texas significantly increased last month. Two of the cases disclosed involved mental health professionals:

- A **Psychologist** was convicted of health care fraud and money laundering, in connection with various claims fraudulently billed to Medicare. Instances of improper conduct included billing for more than twenty-four hours of services in a single day; billing for services in a single day which amounted to more than double the normal business hours of the Psychologist's practice; billing for services allegedly rendered during weekends, holidays, and times that the Psychologist was known to be out of town and away from the practice; and, submitting claims for services and evaluations not actually performed by the Psychologist, as required by law.
- An unlicensed **Behavioral Health Counselor** was charged with Medicaid fraud for allegedly engaging in aggravated identity theft. The defendant allegedly improperly acquired Medicaid beneficiaries' information, including names, addresses and Medicaid numbers, then used the information to file false claims through a behavioral counseling service the defendant owned. These behavioral counseling services were billed to Medicaid but allegedly not provided to the beneficiaries for which they were billed.



Since being established approximately a year ago, Texas' HEAT Strike Force has significantly increased both investigations and prosecutions throughout the State. Both enforcement efforts and the frequency of Medicare audits are anticipated to increase throughout 2010 and following years. In addition to the increasing number of civil and criminal cases brought by the Texas HEAT Strike Force, the number of administrative overpayment cases is anticipated to grow as well. It is essential that Texas providers continue their efforts to ensure that both business operations and billing practices fully comply with applicable statutory and regulatory requirements.

Our Firm includes a number of attorneys with extensive former experience as Federal and / or State prosecutors. Should your organization find itself under investigation, call us today for a complimentary consultation at: 1 (800) 475-1906.