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Description of document: List of Office of Personnel Management (OPM) Inspector General (OIG) investigations closed during CY 2013

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Source of document: Attention: FOIA Request
US Office of Personnel Management
FOIA Requester Service Center
1900 E Street, NW
Room 5415
Washington, D.C. 20415-7900
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Office of the
Inspector General

UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

September 17, 2014

Via e-mail

This is in response to your Freedom of Information Act (FOIA) request in which you asked for a list of investigations closed during calendar year 2013.

The attached document complies with your request.

Please note that certain personally identifiable information has been redacted pursuant to 5 U.S.C. § 552(b)(6) and/or 5 U.S.C. § 552(b)(7)(C).

If you wish to appeal this response under the Freedom of Information Act, you should contact, in writing, J. David Cope, FOIA Appeals Officer, Room 6400, 1900 E Street, NW, Washington, DC 20415. Please include a copy of your initial request, a copy of this letter, and a statement explaining why you disagree with our decision. You should write "Freedom of Information Act Appeal" on the front of the envelope and on the first page of the appeal letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tanner Horton-Jones".

Tanner Horton-Jones
Attorney-Advisor

Enclosure

OPM-OIG Office of Investigations

Closed Investigation Disposition Summary

Start Date: 01/01/2013 End Date: 12/31/2013

Total Count of Cases: 74 Total OPM Recovery Net: 37,988,841.36

This report generated on 07/11/2011 11:08:35 AM

Count	Case Number	Case Title	Date Investigation Closed	Closed Status	OPM Organization	Program	Allegation	Allegation Subtype	Disposition Summary	Notes	OPM Recovery Net	Staff
1	12010 00050	Mert Tugrul Kivanc	07/22/2013	Complete	Healthcare and Insurance	FEHBP	Not Medically Necessary	Physician Group Practice	Civil Action, Criminal Action, Subject Fled the United States		0.00	(b) (6)
2	12009 00128	Heiden v. Boehringer Ingelheim	01/16/2013	Complete	Healthcare and Insurance	FEHBP	Kickback, Off-Label Marketing	Drug Manufacturer	Civil Action		4,621,373.91	
3	12007 00109	Najerausa International DBA Continental Pharmacy	02/28/2013	Complete	Healthcare and Insurance	FEHBP	Services Not Rendered		Criminal Action	Peter V. Ayika, the former owner and manager of Continental Pharmacy, pleaded guilty before U.S. District Judge Frank Montalvo in the Western District of Texas to fraud charges stemming from fraudulent billings to the Federal Employees Health Benefit Program, Medicaid, and private insurance providers for medicines and other pharmaceuticals he never dispensed. Ayika was sentenced to 63 months in prison after entering his guilty plea in the fraud case.	158,564.93	
4	12007 00499	Wyeth Inc	11/12/2013	Complete	Healthcare and Insurance	FEHBP	Off-Label Marketing	Drug Manufacturer	Civil Action, Criminal Action	Civil Settlement and Criminal plea occurred on July 30, 2013	2,845,524.64	
5	12010 00080	Robert N. Parker	02/22/2013	Complete	Retirement Services	CSRS	Deceased Annuitant		Criminal Action		98,044.00	
6	12007 00065	Spina Care of the Carolinas	07/11/2013	Complete	Healthcare and Insurance	FEHBP	Miscoding/Upcoding, Services Not Rendered	Physician	Civil Action	Civil action completed. FEHBP recovery complete. Case closed at this time.	11,572.80	
7	12009 00048	(b) (7)(C)	10/09/2013	Complete	Healthcare and Insurance	FEHBP	Services Not Rendered	Physician	Prosecution Declined	The U.S. Attorney's Office for the District of Columbia declined criminal prosecution of this matter.	0	
8	12011 00056	Mildred Perry	03/06/2013	Complete	Retirement Services	CSRS	Deceased Annuitant		Criminal Action		38,488.14	
9	12008 00079	K Mart Corporation Radiology Associates LLP and Driscoll Genetic Services	08/28/2013	Complete	Healthcare and Insurance	FEHBP	Services Not Rendered		Civil Action		227,700.09	
10	12008 00425	Ora C. Ortiz	12/04/2013	Complete	Healthcare and Insurance	FEHBP	Billing Dispute	Physician Group Practice	Civil Action	Case resulted in a settlement.	53,004.02	
11	12010 00074	(b) (7)(C)	11/05/2013	Complete	Retirement Services	CSRS	Deceased Annuitant		Criminal Action		88,050.71	
12	12009 00006	(b) (7)(C)	09/06/2013	Complete	Retirement Services	CSRS	Deceased Annuitant		Statute Of Limitations, Subject Could Not Be Located	Indicted in 2010, but Fugitive Squad was unable to find him.	0	
13	12006 00075	Jeffrey J. Bierman v. Orthofix International	02/15/2013	Complete	Healthcare and Insurance	FEHBP	Miscoding/Upcoding		Civil Action	Payment received, closing file. Case file sent to ASAC (b) (6) via UPS tracking number - 1ZA46E820293655233	2,061,329.54	
14	12008 00004	(b) (7)(C)	03/07/2013	Complete	Retirement Services	CSRS	Deceased Annuitant		Subject Deceased		0	
15	12009 00083	John S. Sanders	08/30/2013	Complete	Retirement Services	CSRS	Deceased Annuitant		Criminal Action		406,026.08	
16	12010 00011	(b) (7)(C)	08/30/2013	Complete	Healthcare and Insurance	FEHBP	Off-Label Marketing	Drug Manufacturer	Dismissed		0	
17	12010 00032	Nova Pain & Rehab Center	10/02/2013	Complete	Healthcare and Insurance	FEHBP	Miscoding/Upcoding	Physical Therapy	Criminal Action	Per (b) (6) insurance carriers added under "Exposure" tab in order to allocate the financial. (Note: This case had been migrated from Magnum to CLEAR)	9,659.92	

18	I 2010 00038	(b) (7)(C)	01/09/2013	No Action Required	Retirement Services	CSRS	Deceased Annuitant			case closed	0	(b) (6)
19	I 2010 00082	(b) (7)(C)	01/09/2013	Complete	Retirement Services	CSRS	Deceased Annuitant		Statute Of Limitations	Statute ran	0	
20	IA 2010 00012	(b) (6), (b) (7)(C)	02/20/2013	Complete	Office of the Director	Facilities, Security & Contracting	Employee Misconduct	OPM Employee	Administrative Action, Criminal Action		0.00	(b) (6), (b) (7)(C)
21	I 2010 00059	Florence Walters	08/30/2013	Complete	Retirement Services	CSRS	Deceased Annuitant		Criminal Action		191,303.02	
22	I 2010 00865	US ex rel Ernest M Sussman M D v Las Vegas Urology LLP	07/11/2013	Complete	Healthcare and Insurance	FEHBP	Services Not Rendered	Physician	Civil Action	2012. Las Vegas Urology entered into a Final Settlement Agreement to resolve the issues identified. The total LVU Settlement is \$1,000,000.00 (Settlement Amount) which included a double damages modifier with simple interest at 5%. Pro rating that amount among the agencies based on the amounts paid to LVU, Medicare will get 90%, 5% for TRICARE, 4% for the FEHBP, and 1% for Rail Road Retirement Board. HHS-OIG has entered into a Corporate Integrity Agreement with LVU and has given them a release from liability and from exclusion. The settlement was finalized on April 12, 2013. □	19,231.96	(b) (6), (b) (7)(C)
23	I 2010 00872	Ranbaxy Pharmaceutical	07/09/2013	Complete	Healthcare and Insurance	FEHBP	Off-Label Marketing	Drug Manufacturer	Civil Action	Civil Settlement - \$350,000,000.00 □ OPM recovery - \$21,064,523.19	20,432,587.49	
24	I 2011 00049	(b) (7)(C)	12/19/2013	Complete	Retirement Services	CSRS	Deceased Annuitant		Dismissed	On November 7, 2013, AUSA Washington petitioned the court to dismiss the case.	108,368.80	(b) (6), (b) (7)(C)
25	I 2011 00040	US ex rel Giddarie v Sanofi Aventis	02/15/2013	Complete	Healthcare and Insurance	FEHBP	Kickback, Off-Label Marketing	Drug Manufacturer	Civil Action	Case file sent to HQ via UPS Tracking number 1ZA46E820198200592	2,468,484.08	

		(b) (7)(C)									Closing case file. The defense has appealed the jury's verdict and the sentencing; however, the case will be reopened if the court accepts the appeal. Case file sent to ASAC (b) (6) via UPS tracking number - 1Z A46 E82 02 9158 4466		(b) (6)
26	I 2011 00013	(b) (7)(C)	05/22/2013	Complete	Retirement Services	CSRS	Deceased Annuitant			Criminal Action		77,379.00	
27	I 2010 00091	(b) (7)(C)	09/09/2013	No Action Required	Retirement Services	CSRS						0	
28	I 2010 00321	(b) (7)(C)	01/09/2013	Complete	Retirement Services	CSRS	Deceased Annuitant			Subject Deceased		0	
29	I 2011 00064	Augustine Lydia	02/22/2013	Complete	Retirement Services	CSRS	Deceased Annuitant			Criminal Action		116,911.11	
30	I 2011 00673	JS&H Orthopedics Inc	09/05/2013	Complete	Healthcare and Insurance	FEHBP	Services Not Rendered	DME Supplier		Criminal Action		0.00	
31	I 2011 00575	Newborn Hearing Screening Initiative	10/17/2013	Complete	Healthcare and Insurance	FEHBP	Miscoding/Upcoding	Diagnostic Services		Civil Action	Completed file inspection. ROI reprinted to obtain agent's original signature.	1,417,323.20	
32	I 2011 00038	Dorothy Moniz	03/06/2013	Complete	Retirement Services	CSRS	Deceased Annuitant			Criminal Action		157,539.28	
33	I 2011 00046	Leovigildo E.C. Patacsil	09/05/2013	Complete	Retirement Services	CSRS	Deceased Annuitant			Criminal Action		340,291.40	
34	I 2011 00004	(b) (7)(C)	02/22/2013	Complete	Retirement Services	CSRS	Deceased Annuitant			Prosecution Declined		0	
35	I 2011 00024	Clifton Birchfield	08/23/2013	Complete	Retirement Services	CSRS	Deceased Annuitant			Criminal Action	Subject was convicted and sentenced to Federal Prison. Restitution totaling \$130,843.00 was ordered to be paid to OPM CSRS. The case is now complete.	130,843.00	
36	I 2011 00503	Palmetto Pedorthic Care	11/08/2013	No Action Required	Healthcare and Insurance	FEHBP	Miscoding/Upcoding				Completed Reporting	10,065.00	
37	IA 2011 00012	(b) (7)(C)	01/25/2013	Complete	Merit Systems Audit & Compliance	Combined Federal Campaign	Charity Misconduct			Allegation(s) Not Substantiated, Prosecution Declined		0	
38	I 2011 00783	Wyeth Pharmaceutical	02/05/2013	Complete	Healthcare and Insurance	FEHBP	Off-Label Marketing	Drug Manufacturer		Civil Action	Civil Case, however no recovery to OPM or any other agency	0.00	
39	I 2011 00068	Clarence Cook	07/29/2013	Complete	Healthcare and Insurance	FEGLI	Forgery, Theft			Criminal Action		117,307.77	
40	I 2011 00063	Save A Torah - Menachem Youlus	01/07/2013	Complete	Merit Systems Audit & Compliance	Combined Federal Campaign	Charity Misconduct			Criminal Action	Reopened to document supervisory review and complete closed case status for agent quarterly review.	31,282.72	
41	IA 2011 00010	(b) (6), (b) (7)(C)	04/16/2013	No Action Required	OIG	Other	Employee Misconduct					0	
42	I 2011 00814	Amgen	09/30/2013	Complete	Healthcare and Insurance	FEHBP	Off-Label Marketing	Drug Manufacturer		Civil Action	Updates made	143,681.67	
43	I 2006 00149	Mario A. Marsans	10/16/2013	Complete	Federal Investigative Services	Background Investigations				Criminal Action	Administrative closure due to admin reopen.	0	
44	I 2008 00111	Allen Saoud	07/18/2013	Lack of Resources	Healthcare and Insurance	FEHBP	Miscoding/Upcoding, Not Medically Necessary	Physician			Case reopened to add new BCBSA documentation	0	
45	I 2005 00127	Paula Nelson	06/20/2013	No Action Required	Healthcare and Insurance	FEHBP	Miscoding/Upcoding				Re opened to add Carrier Notification	0	
46	I 2009 00020	Paul Higgins	09/10/2013	Complete	Federal Investigative Services	Background Investigations	Contractor Misconduct			Criminal Action	Case originally closed 6.23.2009	0	
47	I 2006 00094	Nellie F. Seale	08/29/2013	No Action Required	Retirement Services	CSRS	Deceased Annuitant				Documentation has been provided to Harris County for restitution. Case is complete.	0	
48	I 2009 00916	Bristol Myers Squibb	10/02/2013	Complete	Healthcare and Insurance	FEHBP	Off-Label Marketing	Drug Manufacturer		Civil Action		411,257.69	
49	I 2010 00100	James Earl Temple	05/07/2013	Complete	Federal Investigative Services	Background Investigations	Contractor Misconduct			Criminal Action		0	

50	I-2010-00522	Maryland General Hospital Inc	11/12/2013	Complete	Healthcare and Insurance	FEHBP	Miscoding/Upcoding			Civil Action	The subject entered into a civil settlement agreement with the U.S. Attorney's Office (in which Medicare and FEHBP received a portion of the settlement), and all monies have been dispersed. Therefore, this investigation can be closed.	8,776.56
51	I-12-00092	(b) (7)(C)	02/05/2013	Complete	Healthcare and Insurance	FEHBP	Off-Label Marketing	Drug Manufacturer	Dismissed		This investigation was closed and combined into SA (b) (6) case I 2008 00098	0
52	I-12-00099	Peter Pressman	11/27/2013	Complete	Healthcare and Insurance	FEHBP	Identity Theft	Physician	Criminal Action			1,622.70
53	I-12-00183	Sue Kyung Moon and Peter Sae Lee	03/07/2013	Complete	Healthcare and Insurance	FEDVIP	Miscoding/Upcoding, Services Not Rendered	Dentist	Civil Action, Criminal Action			39,991.70
54	I-12-00274	(b) (6), (b) (7)(C)	02/26/2013	Complete	Human Resources Solutions	Federal Executive Institute	Employee Misconduct	OPM Employee	Administrative Action		(b) (6), (b) (7)(C) was given a five day suspension by the deciding official for her misuse of a government travel card.	0
55	I-12-00280	Baylor University Medical Center at Dallas	01/07/2013	Complete	Healthcare and Insurance	FEHBP	Miscoding/Upcoding	Hospital	Civil Action		Settled - \$2,820.06 returned to the FEHBP	2,820.06
56	I-12-00309	Steven Sulinski	04/05/2013	Complete	Federal Investigative Services	Background Investigations	Fabrication (Recovery), Fabrication (Targeted Review)	OPM Employee	Criminal Action		Subject convicted and sentenced. Case closed at this time.	38,238.41
57	I-12-00310	(b) (6), (b) (7)(C)	07/11/2013	Complete	Federal Investigative Services	Background Investigations	Fabrication (Recovery)	OPM Contractor	Administrative Action		File Closed and Shipped to ASAC (b) (6) this date. □ Tracking Number:1ZA46E82039 8096256 Service:UPS Ground ServiceGuaranteed By: End of Day Wednesday, Jun 5, 2013	298,409.66
58	I-12-00319	McLeod Cancer & Blood Center dba East TN Hematology and Oncology	07/13/2013	Complete	Healthcare and Insurance	FEHBP	Miscoding/Upcoding, Services Not Rendered	Pharmacy	Civil Action			115,638.55
59	I-12-00331	(b) (7)(C)	10/22/2013	No Action Required	Federal Investigative Services	Background Investigations	Fabrication (Recovery)				FBI notification entered, case closed (admin action) official reprimand 1/22/2013	150,368.82
60	I-12-00338	(b) (6), (b) (7)(C)	02/11/2013	Complete	OIG	Immediate Office of the IG	Employee Misconduct	OPM Employee	Administrative Action			0
61	I-12-00339	Trans1	08/29/2013	Complete	Healthcare and Insurance	FEHBP	Miscoding/Upcoding	DME Supplier	Civil Action			129,961.00

(b) (6)

74	I-13-01094	Aaron Alexis	11/15/2013	Complete	Federal Investigative Services	Background Investigations	Other		Management Advisory Issued	Management Advisory was in the form of a Findings & Recommendations letter sent to Senators McCaskill, Tester, Johnson, and Portman. Courtesy copies were sent to OPM's Chief of Staff and the Associate Director for FIS.	0	(b) (6)
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