



U.S. Department of Justice

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PRESS RELEASE

LONG ISLAND CHIROPRACTOR SETTLES FEDERAL FRAUD ALLEGATIONS

Gary Stein Resolves Claims for Billing the Department of Labor's Office of Worker's Compensation Programs for Purported Treatment That He Did Not Provide

Gary Stein, a licensed chiropractor in Levittown, New York, has paid the United States \$290,197.24 to resolve civil allegations that he submitted false claims to the U.S. Department of Labor's (DOL) Office of Workers' Compensation Programs (OWCP) for services that he did not provide to a federal employee receiving Federal Employees Compensation Act (FECA) program benefits.

Jacquelyn M. Kasulis, Acting United States Attorney for the Eastern District of New York, Matthew Modafferi, Special Agent-in-Charge, U.S. Postal Service, Office of the Inspector General (USPS-OIG), Jonathan Mellone, Special Agent-in-Charge, U.S. Department of Labor Office of Inspector General, New York Region (DOL-OIG), and Christopher Godfrey, Director, OWCP, announced the settlement.

"In billing for medical services he didn't provide to his patient, the defendant defrauded a taxpayer-funded program designed to assist federal employees who are disabled by on-the-job injuries," stated Acting U.S. Attorney Kasulis. "This Office and its law enforcement partners are committed to protecting taxpayer-funded programs from fraud and abuse."

"The Special Agents of the U.S. Postal Service Office of Inspector General will vigorously investigate those who commit frauds against federal benefit programs and the U.S. Postal Service," stated USPS-OIG Special Agent-in-Charge Modafferi. "I'd like to thank the U.S. Attorney's Office and the Office of Inspector General at the U.S. Department of Labor for their continued support in our agency's mission."

"Investigating health care fraud offenses against U.S. Department of Labor programs is an important mission of the Office of Inspector General. We will continue to work diligently with our law enforcement partners to hold accountable those who seek to defraud DOL

programs and siphon taxpayer funds for personal gain,” stated DOL-OIG Special Agent-in-Charge Mellone.

“This settlement allows OWCP to recover \$290,197.24 in medical bill payments under the Federal Employees’ Compensation Act and return those funds to the U.S. Postal Service,” stated OWCP Director Godfrey. “The Department of Labor’s Office of Inspector General, as well as various other agencies’ offices of inspector general, devote significant investigative resources to detecting cases of possible abuse within the FECA program, and this settlement demonstrates the commitment of the DOL and its OIG in helping to ensure that funds issued through the program are paid appropriately.”

Certain federal employees who become disabled due to occupational injuries sustained during the performance of their official duties qualify for OWCP benefits. When health care providers bill OWCP for services rendered to FECA beneficiaries, they use Current Procedural Terminology (CPT) codes that specify what services have been provided. In doing so, they signify that the services were performed as described and properly billed in accordance with accepted industry standards. Applicable industry standards preclude billing for an extended medical appointment when a FECA beneficiary actually received only a routine service.

An investigation by the DOL-OIG and USPS-OIG revealed that, from March 6, 2014 through April 14, 2019, Stein routinely used CPT codes which falsely indicated to OWCP that he had conducted detailed examinations of the patient when in fact he had not done so. The settlement resolves potential claims that Stein’s alleged conduct violated the False Claims Act. The claims resolved by the settlement are allegations only.

The United States’ case was handled by Assistant U.S. Attorney Jolie Apicella of the Office’s Civil Division with assistance from Civil Investigator Joseph Giambalvo.