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SACRAMENTO DENTIST PLEADS GUILTY TO BILLING FOR UNNECESSARY OR UNPERFORMED DENTAL WORK

SACRAMENTO, Calif. — David M. Lewis, 62, of Sacramento, pleaded guilty today to health care fraud for his role in a scheme to defraud the health care benefit program used by United Parcel Service (UPS) employees, United States Attorney Benjamin B. Wagner announced.

According to court documents, beginning in late 2008 or early 2009, Lewis, a dentist practicing in Sacramento, began targeting UPS employees for dental treatment because their health care plan under the Northern California General Teamsters Security Fund provided 100 percent coverage without any annual limits. Lewis offered cash and other incentives to UPS patients for receiving dental treatment or for recruiting other UPS employees to receive such treatment.

In some instances, Lewis caused claims to be submitted to Delta Health Systems, which administered the UPS health care plan, that falsely billed the plan for work that was never performed. In many other instances, Lewis performed unnecessary dental work on UPS employees, including root canals, and claims were submitted to Delta for payment for these unnecessary services.

Lewis created false narratives for dental work that was not performed or created false statements about purported pre-existing dental conditions to justify the work performed. In some instances, Lewis drilled into teeth to install temporary fillings and instructed his assistants to take X-rays of the temporary fillings. Lewis then submitted claims to Delta with X-rays of the temporary fillings, falsely claiming that the X-rays depicted tooth decay justifying further restorative procedures.

The total loss associated with Lewis's health care fraud may be as high as \$1

million.

An employee at Lewis's dental practice, Nichol Ramirez aka Nichol Lomack, previously pleaded guilty to one count of health care fraud for her part in the fraud scheme. (2:14-cr-056 MCE)

These cases are the product of an investigation by the U.S. Department of Labor, Office of Inspector General-Office of Labor Racketeering and Fraud Investigations and the U.S. Department of Labor, Employee Benefits Security Administration, with assistance from the California Dental Board and the California Attorney General's Office. Assistant United States Attorney Todd A. Pickles is prosecuting the cases.

Lewis is scheduled to be sentenced by United States District Judge Morrison C. England Jr. on March 31, 2016, and Lomack is scheduled to be sentenced on September 1, 2016. Both Lewis and Lomack face a maximum statutory penalty of 10 years in prison and a fine of \$250,000 or twice the gross loss or gain of the scheme. The actual sentence, however, will be determined at the discretion of the court after consideration of any applicable statutory factors and the Federal Sentencing Guidelines, which take into account a number of variables.

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