

Eli's Hospice Insider

Fraud & Abuse: Prison Time Racks Up For Novus Fraudsters

Hospice's marketing director is most recent to be sentenced.

Six years after federal raids and five years after being indicted in the salacious Novus Health Care Services fraud case, 13 of the individuals involved in the Dallas-area hospice scheme have been sentenced to a combined 84 years in prison, the Department of Justice says in a press release.

Recap: In addition to many misdeeds ranging from recruiting ineligible patients to falsifying documentation, prosecutors alleged that Novus CEO **Bradley Harris** directed hospice nurses to speed up the death of elderly patients by administering certain drugs in order to avoid per patient spending caps. Guilty pleas from ten of the 16 individuals indicted came in starting in 2017, culminating in Harris' plea in 2021 (see Hospice Insider, Vol. 15, No. 3).

After the guilty pleas came the sentences, with the most recent levied against Novus marketing director **Slade Brown** on Aug. 25. A Dallas federal judge sentenced Brown to four years in prison, the DOJ notes in the release.

The longest sentences thus far in the case have been for Harris himself (13 years and 3 months); two physician medical directors who went to trial rather than plead guilty, **Mark Gibbs** (13 years) and **Laila Hirjee** (10 years); and nurse **Jessica Love** (8.5 years).

Sentences for the other coconspirators were 8 years for LVN **Taryn Stuart**, whom Harris texted "good job" after a patient died following medication administration; 7 years for triage nurse **Patricia Armstrong**, who helped sign up assisted living patients for hospice without any physician involvement; 5.5 years for director of operations **Melanie Murphey**; 4.75 years for medical director and physician **Charles Leach**; more than 3 years for VP of patient services and Harris' wife **Amy Harris**; 2.75 years each for VP of marketing **Sam Anderson** and RN **Tammie Little**; and 1.5 years for **Ali Rizvi**, owner of Express Medical. Rizvi allowed Harris to access potential patients' confidential medical information in return for using Express Medical for lab tests and home health visits, the DOJ says.



Other recent cases around the nation include:

In California: **Liana Karapetyan** and her husband **Akop Atoyan**, owners of ANG Health Care Inc., Excel Home Healthcare Inc., and Excel Hospice Inc. in the Sacramento area, paid and directed others to pay kickbacks to multiple individuals for beneficiary referrals, the DOJ notes in a release. The kickback recipients included **John Eby**, a registered

nurse who worked for a hospital; **Anita Vijay**, the director of social services at a skilled nursing and assisted living facility; Anita's husband **Jai Vijay**; and **Mariela Panganiban**, another SNF director of social services. Medicare paid the agencies at least \$2 million for services purportedly provided to beneficiaries referred in exchange for kickbacks, the DOJ says. All six defendants have pleaded guilty in the case. A federal judge has sentenced Karapetyan to 18 months in prison, the DOJ says. The other five await sentencing, although Atoyan has already been ordered to repay \$5 million.

In Texas: Familia Healthcare Services Inc., dba Del Cielo Hospice and Palliative Care, in Corpus Christi knowingly submitted false claims from May 2017 through January 2022 for patients who didn't qualify for the benefit, the DOJ says in a release. The whistleblower, who was a former hospice employee, will receive 16 percent of the proceeds from the settlement, the DOJ notes.

In Indianapolis: Former hospice employee **Joseph Lingenfelter** will receive a portion of a \$5.5 million settlement with long-term care company American Senior Communities. Lingenfelter, who worked for a hospice doing business with ASC, alleged that the company was charging Medicare directly for various therapy services provided to beneficiaries who had been placed on hospice, when those services should have already been covered by the beneficiaries' Medicare hospice coverage, the DOJ says in a release. Qui tam relators are entitled to between 15 and 25 percent of the recovery, the DOJ points out. "Whistleblowers are critical to protecting public funds from fraud, waste, and abuse," U.S. Attorney **Zachary A. Myers** says in the release. The "settlement demonstrates that federal law enforcement agencies will vigorously investigate reports of false claims and seek to recover funds on behalf of the public," Myers vows.