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THE UNITED STATES ATTORNEY'S OFFICE  
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**Department of Justice**

U.S. Attorney's Office

Northern District of Texas

FOR IMMEDIATE RELEASE

Monday, August 10, 2020

## **Forest Park Anesthesiologist Sentenced to 5.5 Years in Federal Prison**

An anesthesiologist at the center of the \$200 million [Forest Park Medical Center fraud](#) has been sentenced to five and a half years in federal prison and ordered to pay more than \$82.9 million in restitution, announced U.S. Attorney for the Northern District of Texas Erin Nealy Cox.

Richard Ferdinand Toussaint, Jr. – who is already serving a 41-month federal prison sentence for a [separate](#) health care fraud conviction – [pleaded guilty](#) to his involvement in the Forest Park scheme in March 2018, admitting to one count of conspiracy to pay health care bribes and kickbacks and one count of illegal remuneration under the Travel Act. The 66-month sentence handed down today by U.S. District Judge Jack Zouhary will be served concurrent to the 41-month sentence.

In plea papers, Dr. Toussaint, 61, acknowledged that he teamed up with co-defendant Dr. Wade Neal Barker, a bariatric surgeon, to launch Forest Park Medical Center, a physician-owned hospital for bariatric and spinal surgery patients, in 2008. Together with Forest Park hospital manager Alan Andrew Beauchamp, Dr. Toussaint, Dr. Barker, and their colleagues conspired to steer lucrative patients – particularly those with high-reimbursing, out-of-network private insurance – to the now defunct hospital by paying surgeons for referrals.

Most of the kickbacks, which totaled more than \$40 million, were disguised as consulting fees or “marketing money,” doled as a percentage of surgeries each doctor referred to Forest Park, Dr. Toussaint admitted. Email correspondence proved he and Dr. Baker were kept up to date about how much surgeons were being paid.

Instead of billing patients for out-of-network co-payments, instituted by insurers to de-incentivize the high costs associated with out-of-network treatment, Forest Park allegedly waived co-insurance, assured patients they would pay in-network prices. Because they knew insurers

wouldn't tolerate such practices, they concealed the patient discounts and wrote off the difference as uncollected "bad debt."

Dr. Toussaint was one of 18 convicted in the scheme.

Defendants who pleaded guilty before trial include: Wade Neal Barker, Alan Andrew Beauchamp, Kelly Wade Loter, David Daesung Kim, Israel Ortiz, Andrea Kay Smith, Frank Gonzales, Jr., Andrew Jonathan Hillman, and Semyon Narosov.

Defendants convicted at trial include: Wilton McPherson "Mac" Burt, Jackson Jacob, Douglas Sung Won, Michael Bassem Rimlawi, Shawn Mark Henry, Mrugeshkumar Shah, and Iris Kathleen Forrest.

The case was investigated by the U.S. Office of Personnel Management Office of Inspector General, the Federal Bureau of Investigation, the U.S. Department of Labor Office of Inspector General, the U.S. Department of Labor Employee Benefits Security Administration, the U.S. Department of Defense - Defense Criminal Investigative Service, and Internal Revenue Service Criminal Investigation, with assistance from the Food and Drug Administration Office of Criminal Investigations. Assistant U.S. Attorneys Andrew Wirmani, Marcus Busch, Mark Tindall, and Gail Hayworth are prosecuting the case.

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**Topic(s):**

Health Care Fraud

**Component(s):**

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