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Department of Justice

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District of New Jersey

FOR IMMEDIATE RELEASE

Wednesday, May 18, 2022

Florida Man Sentenced To 120 Months In Prison For Role In \$50 Million Health Care Fraud And Kickback Scheme

NEWARK, N.J. – A Florida man was sentenced today to 120 months in prison for his role in a health care fraud and kickback scheme, U.S. Attorney Philip R. Sellinger announced.

Pat Truglia, 54, of Parkland, Florida, previously pleaded guilty before U.S. District Judge Kevin McNulty in Newark federal court to conspiracy to commit health care fraud. Judge McNulty imposed the sentence today in Newark federal court. Two co-defendants, Nicholas Defonte, 73, and Christopher Cirri, 64, both of Toms River, New Jersey, previously pleaded guilty to the same conspiracy and are awaiting sentencing.

According to documents filed in these cases and statements made in court:

Each defendant played a role in defrauding health care benefit programs by offering, paying, soliciting, and receiving kickbacks and bribes in exchange for completed doctors' orders for durable medical equipment, namely orthotic braces (DME orders):

- Truglia and his conspirators had financial interests in multiple DME companies. The DME companies paid kickbacks to suppliers of DME orders, including Cirri, Defonte, and Truglia, in exchange for DME orders, which the DME companies subsequently fraudulently billed to Medicare, TRICARE, CHAMPVA, and other health care benefit programs. Truglia and his conspirators concealed their ownership of the DME companies by using straw owners who were falsely reported to Medicare as the owners of the companies.

- Truglia, Cirri, Defonte, and their conspirators owned and operated multiple call centers through which they obtained DME orders for beneficiaries of Medicare and other federal health care programs. The call centers paid illegal kickbacks and bribes to telemedicine companies to obtain DME orders for these beneficiaries. The telemedicine companies then paid physicians to write medically unnecessary DME orders. The DME orders were provided to DME supply companies owned by Truglia and others in exchange for bribes. The DME supply companies in turn provided the braces to beneficiaries and fraudulently billed the health care programs.

- Cirri, Defonte, and their conspirators had business relationships with call centers through which they obtained prescriptions for compounded medications and other medical products reimbursable by federal and private health care benefit programs. Cirri and Defonte provided these prescriptions for compounded

medical prescriptions and other medical products in exchange for kickbacks and bribes from companies that fraudulently billed them to health care programs.

The defendants caused losses to Medicare, TRICARE, and CHAMPVA of approximately \$50 million.

In addition to the prison term, Judge McNulty sentenced Truglia to three years of supervised release and ordered restitution of \$33,777,799.67 and forfeiture of \$9,477,925.

U.S. Attorney Sellinger credited special agents of the FBI, under the direction of Acting Special Agent in Charge Michael Messenger in Newark; the Department of Health and Human Services-Office of Inspector General, under the direction of Special Agent in Charge Scott J. Lampert; the U.S. Department of Defense, Office of the Inspector General, Defense Criminal Investigative Service, under the direction of Special Agent in Charge Patrick J. Hegarty; and the U.S. Department of Veterans Affairs, Office of Inspector General, under the direction of Special Agent in Charge Christopher F. Algieri, with the investigation leading to today's sentencing.

The government is represented by Assistant U.S. Attorney Sean M. Sherman of the Opioid Abuse Prevention & Enforcement and Health Care Fraud Units in Newark, Senior Trial Counsel Barbara Ward of the Asset Recovery and Money Laundering Unit in Newark, and Trial Attorney Darren Halverson of the Criminal Division's Fraud Section.

Defense counsel:

Truglia: Bernard M. Cassidy Esq., Fort Lauderdale, Florida

Cirri: Timothy Anderson Esq., Red Bank, New Jersey

Defonte: Robert Weir Esq., Little Silver, New Jersey

Topic(s):

Health Care Fraud

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