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PRESS RELEASE

Reading Owner of Telemedicine Companies Charged with \$44 Million Medicare Fraud Scheme



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For Immediate Release

U.S. Attorney's Office, District of Massachusetts

BOSTON – The owner of Conclave Media (Conclave) and Nationwide Health Advocates (Nationwide) has been charged and has agreed to plead guilty in connection with a \$44 million telemedicine fraud scheme involving medically unnecessary durable medical equipment (DME), including orthotics such as back and knee braces, and genetic tests.

David Santana, 38, has agreed to plead guilty to one count of conspiracy to commit health care fraud. A plea hearing has not yet been scheduled by the Court.

According to the charging documents, between January 2018 and August 2021, Santana, through his companies Conclave and Nationwide, entered into business relationships with telemarketing companies that generated leads by targeting Medicare beneficiaries. The telemarketers then allegedly paid Conclave and Nationwide on a per-order basis to generate orders for DME and genetic testing for these beneficiaries. To arrange for these orders to be signed, Santana allegedly worked with medical staffing companies to find doctors and nurses who were willing to review and sign prepopulated orders, typically without any contact with the

beneficiaries. It is alleged that the records falsely portrayed the medical providers as having performed a legitimate examination of the beneficiary. Santana then allegedly provided the signed orders to the telemarketing companies which sold the orders to DME suppliers and laboratories. It is alleged that Santana knew these DME suppliers and laboratories would use the signed orders to submit claims to Medicare for DME and genetic testing that were medically unnecessary, based on false documentation and tainted by kickbacks.

The charge of conspiracy to commit health care fraud provides for a sentence of up to 10 years in prison, supervised release for up to three years, and a fine of up to \$250,000 or twice the gross pecuniary gain or loss, whichever is greater. Sentences are imposed by a federal district court judge based upon the U.S. Sentencing Guidelines and statutes which govern the determination of a sentence in a criminal case.

Acting United States Attorney Joshua S. Levy; Robert Coviello, Acting Special Agent in Charge, Health and Human Services-Office of Inspector General; Christopher DiMenna, Acting Special Agent in Charge, Federal Bureau of Investigation, Boston Division; Ketty Larco-Ward, Inspector in Charge, United States Postal Inspection Service, Boston Division; Carol S. Hamilton, Regional Director, Employee Benefits Security Administration, U.S. Department of Labor; and Patrick Hegarty, Special Agent in Charge, Defense Criminal Investigation Service, North East Field Office made the announcement today. Assistant U.S. Attorneys Howard Locker and Lauren Graber of the Health Care Fraud Unit and Alexandra Brazier and Lindsey Ross of the Affirmative Civil Enforcement Unit are prosecuting the case.

The details contained in the charging documents are allegations. The defendant is presumed innocent unless and until proven guilty beyond a reasonable doubt in a court of law.

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