

Beat: News

Muskegon Doctor Guilty To Billing For Office Visits She Never Performed

Settles Civil Claims For \$500,000

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USPA NEWS - A Muskegon physician pleaded guilty on May 25, 2022, to a felony information charging her with one count of health care fraud. According to court documents, Soaries Maxine Peterson, M.D., 68, billed Medicare, Medicaid, and Blue Cross Blue Shield for services that she did not perform.

Dr. Peterson admitted that she billed for office visits for patients who came to her office, often to obtain monthly prescriptions for controlled substances, when she was on vacation out of state or when she was outside of the office performing other services. During these encounters, patients met only with unlicensed office staff and no qualified health professional.

As part of a global settlement, Dr. Peterson also agreed to pay the United States and the State of Michigan \$500,000 to resolve her civil liability under the False Claims Act for the alleged fraudulent claims she billed to Medicare and Medicaid, as well to resolve her federal liability under the Controlled Substances Act related to her prescribing of controlled substances. More specifically, the United States alleges that Dr. Peterson wrote prescriptions for controlled substances to her patients without a legitimate medical purpose and outside the usual course of professional practice. As part of the investigation, Dr. Peterson surrendered her Drug Enforcement Administration ("DEA") registration for cause, and she has agreed to never reapply for a new registration, preventing her from ever prescribing opioids and other controlled substances in the future.

"Health care providers who fraudulently bill for services they did not provide must be held accountable, especially when those services involve the prescribing of controlled substances," said U.S. Attorney Mark Totten. "The citizens of this district deserve better. My office is committed to working with our federal and state partners to combat this unprofessional, unsafe, and unlawful behavior in Michigan."

"I appreciate the coordinated effort across state and federal agencies to reach this outcome," Michigan Attorney General Dana Nessel said. "My office will continue to work with our partners to ensure providers who commit fraud are held accountable. Patients and all Michigan residents deserve better."

"The charges to which Peterson pleaded guilty describe a person who was more motivated by greed than by her duty to provide appropriate medical care to patients," said James A. Tarasca, Special Agent in Charge of the Federal Bureau of Investigation ("FBI") in Michigan. "The FBI will continue to work alongside our law enforcement partners to investigate health care fraud committed by medical professionals who defraud federal health care programs and knowingly place their patients at risk."

"Providers who fraudulently bill federal health care programs and prescribe controlled substances without a medical need show no regard for the well-being of their patients and irresponsibly divert funds needed to care for beneficiaries," said Special Agent in Charge Mario M. Pinto of the U.S. Department of Health and Human Services Office of Inspector General ("HHS-OIG"). "Our agency will continue to work with our law enforcement partners to investigate and hold accountable providers who engage in fraud and endanger the beneficiaries of our federal health care programs."

"Disregard for laws regulating controlled substances is what is fueling the nation's overdose epidemic," said Kent R. Kleinschmidt, DEA Acting Special Agent in Charge for the Detroit Field Division. "This reckless behavior will not be tolerated, and DEA is committed to pursuing anyone who fails to meet their prescribing obligations."

Dr. Peterson pleaded guilty to one count of health care fraud (18 U.S.C. § 1347). She is scheduled to be sentenced on Wednesday, September 7, 2022, and faces a maximum sentence of 10 years in prison. A federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

This case is being investigated by the FBI, HHS-OIG, and DEA. Assistant U.S. Attorney Andrew J. Hull represents the United States in the civil case, and Assistant Attorney General Stacy M. Race of the Michigan Department of Attorney General's Health Care Fraud Division represents the State of Michigan in its civil case.

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