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JEFFREY NEWMAN LAW ANNOUNCES \$2.1 MILLION SETTLEMENT IN WHISTLEBLOWER FRAUD CASE AGAINST CAREWELL URGENT CARE CENTERS FOR UPCODING PATIENT VISITS

False Claims Act lawsuit reveals upcoding of urgent care visits by CareWell in Massachusetts and Rhode Island at the expense of Medicare and Medicaid

BOSTON, MA – March 29, 2019

CareWell Urgent Care Centers, an urgent care company which operates seventeen (17) urgent care centers in Massachusetts and one (1) in Rhode Island, will pay over \$2.1 million dollars with interest to settle False Claims Act whistleblower claims against it for its fraudulent billing of Medicare and Medicaid for services it provided which were unrelated to patients' individual medical needs. The original whistleblower case was filed on behalf of the federal and state Governments by Registered Nurse Practitioner Aileen Cartier of Massachusetts, who worked in some of CareWell's clinics from 2016 to early 2018. Ms. Cartier is represented by Attorney Jeffrey A. Newman of Massachusetts.

The fraudulent billing by CareWell included requirements that all of its providers give the patients history and physical examinations which far exceeded the purposes for which the patients went to the clinics. According to the [Complaint](#), CareWell's management directed its physicians, nurse practitioners and other medical personnel to examine and document at least 13 body systems during the medical history inquiries and at least 9 body systems during physical examinations, even if, for example, the patient's original complaint was as simple as a splinter in the finger. CareWell did this so that it could upcode claims to a Level 4 code in order to receive more reimbursement funds. In addition, the evidence revealed that CareWell's management informed medical personnel that the mandate of inquiring into body symptoms unrelated to a patient's specific medical complaints or symptoms was a requirement imposed by CareWell's malpractice insurance carrier. According to the Settlement Agreement: "no malpractice insurance carrier imposed this requirement on CareWell."

Attorney Newman said: "Because of the courage of Ms. Cartier, this fraud, which bleeds the system, has been uncovered and stopped. The funds supplied for Medicaid and Medicare, and paid for by the taxpayers, are in dire need and should not be depleted because some companies want to line their coffers even if it means violating

laws. Urgent care clinics have an important role in the provision of healthcare services and allow for swift and helpful intervention for medical services that do not require emergency care or hospitalization. However, urgent care centers, like every other kind of healthcare facility, must abide by the rules and cannot be allowed to over-bill government insurance programs.”

The case for the federal government was handled by Assistant U.S. Attorney Steven Sharobem. The case for the Attorney General’s Office in Massachusetts was handled by Assistant Attorneys General Jennifer Goldstein and Cassandra Arriaza. Assistant Attorney General James Dube handled the case for the Attorney General’s Office in Rhode Island.

About Mr. Newman

Jeffrey A. Newman, Esq. and his firm represent whistleblowers throughout the United States from his primary office in Boston, Massachusetts. He handles a variety of different kinds of whistleblower actions, including Medicare fraud cases, customs fraud cases, ambulance fraudulent billing cases, tax evasion cases, and financial fraud cases under the Securities and Exchange Commission whistleblower program. In 2016, he settled a case against RehabCare/Kindred in the amount of \$125 million for fraudulent billing by skilled nursing facilities. In 2017, he settled a case against MedStar Ambulance in the amount of \$12.7 million for upcoding ambulance runs. In 2016 and 2018, he settled cases against Biocompatibles/BTG and AngioDynamics, respectively, for a total amount of \$36.5 million for selling the gelsphere device for unapproved chemotherapy eluting purposes. Also in 2018, he settled the state component of a case against South Bay and C.I.S. in the amount of \$4 million for billing for mental health services provided by unqualified, unlicensed, and unsupervised employees. The federal case against South Bay and C.I.S. and the case against the other Defendants is still ongoing.

Contact Jeffrey Newman at 617-823-3217 to learn more about his whistleblower practice and the cases he handles. For more information, please also visit his website at www.jeffnewmanlaw.com.