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LAFAYETTE, LA CARDIOLOGIST CONVICTED ON 51 COUNTS OF HEALTHCARE FRAUD

*Jury deliberates for six days before returning a guilty verdict related
to medically unnecessary stents*

Lafayette, Louisiana: United States Attorney Donald W. Washington, along with Health & Human Services Office of Inspector General Special Agent in Charge, Mike Fields, and FBI, New Orleans Division, Special Agent in Charge, David Welker, announced the conviction of DR. MEHMOOD M. PATEL, 64, of Lafayette, by a federal jury of healthcare fraud. After a three-month trial which began on October 1, 2008, and six days of deliberation, a jury returned a guilty verdict on 51 counts of healthcare fraud in United States District Court in Lafayette.

After the verdict Tuesday evening, Judge Tucker Melancon denied the government's motion for detention before sentencing, but increased Patel's release bond obligation to \$500,000.00. The court also ordered the defendant to surrender all medical licenses, including those allowing him to practice medicine in Louisiana, Canada, India and elsewhere by 9:00 a.m. on December 31, 2008. A date for sentencing is expected to be set soon.

PATEL was indicted in February 2006 stemming from a complaint made to the Department of Health & Human Services that the defendant was placing stents in people who did not need them. A search warrant was executed on Patel's office in November 2003, at which time patient files were seized.

Beginning on or about September 2003, Our Lady of Lourdes (OLOL) Hospital in Lafayette, LA conducted an internal investigation leading to the suspension of DR. PATEL'S privileges at OLOL. A similar process was undertaken by Lafayette General Medical Center (LGMC) in late 2003 and early 2004 which also led to DR. PATEL being suspended from practicing at LGMC. After the hospitals suspended the defendant's privileges, the Louisiana State Medical Board restricted DR. PATEL'S license to practice interventional cardiology, leaving him the ability to practice internal medicine pending the results of the criminal trial.

Testimony at trial revealed that MEHMOOD M. PATEL, M.D., who has been practicing interventional cardiology in Lafayette, Louisiana and surrounding areas for more than 25 years, was falsifying patient symptoms in medical records, falsifying findings on medical tests, and performing unnecessary coronary procedures such as deploying angioplasty balloons and stents. Testimony from experts in cardiology specialties revealed that the defendant deployed stents, balloons and radiation in coronary arteries that had little or insignificant disease. Testifying medical experts included doctors from Emory University in Atlanta, GA, the University of Pennsylvania Medical School in Philadelphia, PA, Mt. Sinai Hospital in New York City, and the University of California at Los Angeles, CA, as well as cardiologists practicing in Louisiana. Each expert testified about only a small number of the thousands of procedures performed annually for many years by DR. PATEL. The indictment in the case contained 91 counts involving only 75 patients chosen by the government with the help of these experts.

Additionally, the jury heard testimony from dozens of other government witnesses including medical technicians, nurses, and patients who painted the defendant as one who lacked concern for patient care and safety. Many of the nurses and technicians indicated their concerns and made complaints to their supervisors after witnessing unnecessary angioplasty procedures performed by the defendant doctor.

Testimony also revealed that DR. PATEL was performing unnecessary medical procedures and billing both Medicare and private insurance companies, which added up to millions of dollars paid to DR. PATEL and the hospitals where many of the procedures were performed. During the years 1999-2003, DR. PATEL was the number one biller in cardiology services for the State of Louisiana. During the approximately three-year period covered by the indictment, DR. PATEL billed Medicare and private insurance companies more than \$3 million, of which he received \$541,745.00 from this scheme. The indicted charges included less than \$90,000.00 of the amount received by the defendant.

DR. PATEL performed procedures at both Our Lady of Lourdes Hospital and Lafayette General Medical Center, as well as a leased mobile catheterization lab located outside his practice, Acadiana Cardiology, before he opened his own catheterization lab in mid-2002 on the second floor of his office on St. Julien Street in Lafayette, Louisiana.

United States Attorney Donald W. Washington stated: "Patient care and safety are the primary duty of all healthcare providers. Doctors are never privileged to perform medically unnecessary procedures on any person for any reasons whatsoever. I hope that this matter sends a strong message to those good and honorable medical professionals to police their ranks and be faithful to their credo of doing no harm to any patient. Healthcare providers like Dr. Patel are not entitled to payment by federal and/or private health plans for medically unnecessary procedures. Physicians must be held accountable when they fail in their primary mission to care for their patients appropriately, ethically and respectfully. Healthcare fraud will continue

to remain a priority for this office, and we will aggressively investigate and devote our full attention and resources to matters of this magnitude.”

Special Agent in Charge for Health & Human Services Office of Inspector General, Mike Fields, stated: “Yesterday, Dr. Patel heard from this jury what healthcare providers who defraud Medicare are hearing from juries all over America - you will be held accountable for your greed. HHS-OIG agents will continue to work closely with our state and federal law enforcement partners to protect the Medicare Trust Fund.”

Special Agent in Charge of the FBI’s New Orleans Division, David Welker, stated: “It is reprehensible to think that a medical professional would put patients at significant risk and conduct medically unnecessary procedures simply to fill their personal coffers. Hopefully, as U.S. Attorney Donald Washington notes, this conviction should send a powerful message to healthcare providers of the perils of deviating from their oath. It should also send a message to patients to be personally involved in their own care. We will continue to aggressively investigate healthcare fraud to ensure the safety of the public.”

PATEL faces a maximum of ten years imprisonment, a fine not more than \$250,000.00, and a term of not more than three years of supervised release following confinement.

Sentencing in federal court is determined by the discretion of federal judges and the governing statutes. Parole has been abolished in the federal system.

This case was investigated by Special Agent Barbara Alleman of Health & Human Services and Special Agents Troy Chenevert and Greg Harbourt of the Federal Bureau of Investigation. The case was prosecuted by United States Attorney Donald W. Washington and Assistant United States Attorney Kelly Uebinger.

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