

Department of Justice
U.S. Attorney's Office
Western District of Texas

FOR IMMEDIATE RELEASE

December 2, 2019

Judge Sentences San Antonio Businessman to Federal Prison for Health Care Fraud Scheme

In San Antonio today, a federal judge sentenced 49-year-old San Antonio businessman Rafael Enrique Rodriguez to seven (7) years in federal prison for his role in a multi-million-dollar health care fraud scheme.

In addition to the prison term, Senior U.S. District Judge David A. Ezra ordered that Rodriguez pay \$6,032,126.69 in restitution to the government and be placed on supervised release for a period of three (3) years after completing his prison term. Judge Ezra ordered that Rodriguez surrender to federal authorities on January 16, 2020, to begin serving his federal prison term.

U.S. Attorney John F. Bash; U.S. Department of Veterans Affairs Office of Inspector General (VA-OIG) Criminal Investigations Division Special Agent in Charge James Ross, South Central Field Office; U.S. Department of Labor Office of Inspector General (DOL-OIG) Special Agent in Charge Steven Grell, Dallas Region; Department of Labor's Office of Workers' Compensation Program (OWCP), Division of Federal Employee Compensation (DFEC) Director Antonio Rios; and, U.S. Postal Service Office of Inspector General (USPS-OIG) Special Agent in Charge Christopher Cave, Southern Area Field Office, made the announcement.

"The sentence imposed in this case reflects our commitment to stamping out healthcare fraud. This is not just a law-and-order issue. It's also about making sure that Texans in need of medical treatment or other healthcare services can be confident that they are being told the truth about their care," stated U.S. Attorney Bash.

On June 21, 2019 a federal jury convicted Rodriguez on six counts of health care fraud, five counts of wire fraud, and one count of aggravated identity theft. Rodriguez was the owner/operator of 210 Workers with offices providing physical therapy and rehabilitation services in both San Antonio and Salt Lake City, UT.

Evidence presented during trial revealed that between October 22, 2012, and December 14, 2016, Rodriguez devised a scheme to defraud the Federal Employees Compensation Act (FECA), Office of Workers Compensation Program, a federal health care benefit program designed to provide worker's compensation services to federal employees. Specifically, Rodriguez billed the program for physical therapy and treatment using codes indicating that a qualified professional provided those services when, in fact, unlicensed technicians were providing the services. Additionally, Rodriguez used the identity of another individual, a licensed physical therapist, to obtain provider registration with the program without the permission of the therapist. Rodriguez billed the program more than \$7.5 million for these services and was paid over \$6 million for the fraudulently billed services.

"The Department of Labor recognizes the efforts of the OIG community and federal agencies involved, and will continue to identify potential medical provider fraud and stop abuse of the FECA program," said OWCP DFEC Director Rios. "These fraud detection efforts continue to be a high priority for us."

"The sentence obtained today has been the culmination of a thorough investigation completed by our agents revealing abuse by medical professionals of Federal benefits programs for personal gain," said USPS-OIG Special Agent in Charge Cave. "The USPS-OIG, along with our law enforcement partners will continue to vigorously investigate these types of cases in order to deter and stop these fraud schemes."

"Rafael Rodriguez took advantage of injured federal workers by overbilling the U.S. Department of Labor's Office of Workers' Compensation Programs more than \$7.5 million for therapy visits performed by unlicensed professionals. We will continue to work with our law enforcement partners and OWCP to protect the integrity of DOL's benefits programs," said DOL-OIG Special Agent in Charge Grell.

"Today's sentencing comes as a result of outstanding leadership provided by the United States Attorney's Office, and the tireless efforts of VA-OIG special agents, in partnership with other investigative agencies. These charges send a clear signal that healthcare providers entrusted with the care of injured VA employees will be held accountable for defrauding the Office of Workers' Compensation Program," stated VA-OIG Criminal Investigations Division Special Agent in Charge Ross.

Special agents with the USPS-OIG, VA-OIG, and DOL-OIG investigated this case. Assistant U.S. Attorney Gregory J. Surovic prosecuted this case on behalf of the government.

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