State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.state.oh.us/med/

February 13, 2002

John A. Campa, III, M.D.
1916 Patterson Street, Suite 705
Nashville, TN 37203

Dear Doctor Campa:

Please find enclosed certified copies of the Entry of Order; the Report and Recommendation of Sharon W. Murphy, Attorney Hearing Examiner, State Medical Board of Ohio; and an excerpt of draft Minutes of the State Medical Board, meeting in regular session on February 13, 2002, including motions approving and confirming the Report and Recommendation as the Findings and Order of the State Medical Board of Ohio.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal must be taken to the Franklin County Court of Common Pleas.

Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the Franklin County Court of Common Pleas. Any such appeal must be filed within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12, Ohio Revised Code.

THE STATE MEDICAL BOARD OF OHIO

Anand G. Garg, M.D.
Secretary

AGG:jam
Enclosures

CERTIFIED MAIL NO. 7000 0600 0024 5147 1593
RETURN RECEIPT REQUESTED

Cc: Reg. #17629-074 FCI Three Rivers
P. O. Box 4000
Three Rivers, TX 78007
CERTIFIED MAIL NO. 7000 0600 0024 5147 1609
RETURN RECEIPT REQUESTED

1252 E. Common
New Braunfels, TX 78130
CERTIFIED MAIL NO. 7000 0600 0024 5146 4427
RETURN RECEIPT REQUESTED

Mailed 2-15-02

CERTIFICATION

I hereby certify that the attached copy of the Entry of Order of the State Medical Board of Ohio; Report and Recommendation of Sharon W. Murphy, State Medical Board Attorney Hearing Examiner; and excerpt of draft Minutes of the State Medical Board, meeting in regular session on February 13, 2002, including motions approving and confirming the Findings of Fact, Conclusions and Proposed Order of the Hearing Examiner as the Findings and Order of the State Medical Board of Ohio; constitute a true and complete copy of the Findings and Order of the State Medical Board in the Matter of John A. Campa, III, M.D., as it appears in the Journal of the State Medical Board of Ohio.

This certification is made by authority of the State Medical Board of Ohio and in its behalf.

Anand G. Garg, M.D.
Secretary

(SEAL)

February 13, 2002
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF	*
	*
JOHN A. CAMPA, III, M.D.	*

ENTRY OF ORDER

This matter came on for consideration before the State Medical Board of Ohio on February 13, 2002.

Upon the Report and Recommendation of Sharon W. Murphy, State Medical Board Attorney Hearing Examiner, designated in this Matter pursuant to R.C. 4731.23, a true copy of which Report and Recommendation is attached hereto and incorporated herein, and upon the approval and confirmation by vote of the Board on the above date, the following Order is hereby entered on the Journal of the State Medical Board of Ohio for the above date.

It is hereby ORDERED that:

> The certificate of John A. Campa, III, M.D., to practice medicine and surgery in the State of Ohio shall be **PERMANENTLY REVOKED**.

This Order shall become effective immediately upon mailing of notification of approval by the Board.

Anand G. Garg, M.D.
Secretary

(SEAL)

February 13, 2002
Date

STATE MEDICAL BOARD
OF OHIO

2002 JAN 16 P 3:42

REPORT AND RECOMMENDATION
IN THE MATTER OF JOHN A. CAMPA, III, M.D.

The Matter of John A. Campa, III, M.D., was heard by Sharon W. Murphy, Attorney Hearing Examiner for the State Medical Board of Ohio, on December 18, 2001.

INTRODUCTION

I. Basis for Hearing

A. By letter dated October 19, 2001, the State Medical Board of Ohio [Board] notified John A. Campa, III, M.D., that it had proposed to take disciplinary action against his certificate to practice medicine and surgery in Ohio. The Board based its proposed action on allegations that Dr. Campa had pleaded guilty to, and was found guilty of, seventy-seven felony counts. The Board alleged that Dr. Campa's guilty pleas and/or the judicial findings of guilt, constitute "[a] plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony," as that clause is used in Section 4731.22(B)(9), Ohio Revised Code. Accordingly, the Board advised Dr. Campa of his right to request a hearing in this matter. (State's Exhibit 1A).

B. On October 22, 2002, Dr. Campa submitted a written hearing request. (State's Exhibit 1B).

II. Appearances

A. On behalf of the State of Ohio: Betty D. Montgomery, Attorney General, by Rebecca J. Albers and Kyle C. Wilcox, Assistant Attorneys General.

B. On behalf of the Respondent: Dr. Campa, having been apprised of his right to attend the hearing or to be represented by counsel, did not appear in person or by representative. Instead, Dr. Campa presented his defense in writing.

EVIDENCE EXAMINED

I. Testimony Heard

No testimony was presented.

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II. Exhibits Examined

A. Presented by the State

1. State's Exhibits 1A-1G: Procedural exhibits.

2. State's Exhibits 2 through 5: Certified copies of documents and transcript filed in the U.S. District Court for the Eastern District of Tennessee, Chattanooga, in *United States of America v. John Ascencion Campa, III [U.S. v. Campa]*, Criminal No. 1:00-CR-101.

3. State's Exhibit 7: Certification from the Board regarding the status of Dr. Campa's certificate to practice medicine and surgery.

4. State's Exhibit 8: State's Objections to Respondent's Exhibits, filed January 3, 2002.

B. Presented by the Respondent

1. Respondent's Exhibit A: Respondent's Motion to Take Judicial Notice of Documentary Evidence, filed December 12, 2001.

2. Respondent's Exhibit B: Copies of documents submitted by Dr. Campa, as follows.

a. Respondent's Exhibit B-1: Documents created by Dr. Campa, including his curriculum vitae, and court documents.

b. Respondent's Exhibit B-2: Letters of recommendation written by colleagues on behalf of Dr. Campa.

c. Respondent's Exhibit B-3: Letters of recommendation written by patients on behalf of Dr. Campa. (Note: Exhibit sealed to protect patient confidentiality.)

PROFFERED EXHIBITS

Respondent's Exhibit B-4: Subsequent to hearing, Dr. Campa submitted documents pertaining to testimony that would have been given by Dr. Campa's experts during a criminal trial in which Dr. Campa was the defendant. Dr. Campa did not proceed to trial; therefore, the experts did not testify and were not cross-examined. The State objected to these documents being admitted into

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the hearing record. (See State's Exhibit 8). The State's objection is sustained. Nevertheless, these documents are being sealed and proffered on behalf of Dr. Campa.

PROCEDURAL MATTERS

At the hearing in this matter, the State advised that Dr. Campa had submitted a motion to admit certain documents, but had failed to attach the documents. The State requested that the record be held open to allow Dr. Campa time to submit the missing documents. The State's request was granted. Accordingly, the hearing record in this matter was held open until January 15, 2001, to give the Respondent an opportunity to submit additional evidence. These documents were timely submitted and entered into the record as Respondent's Exhibit B. (See Hearing Transcript at 5-6, 13-14).

SUMMARY OF THE EVIDENCE

All exhibits and transcripts of testimony, even if not specifically mentioned, were thoroughly reviewed and considered by the Attorney Hearing Examiner prior to preparing this Report and Recommendation.

1. John A. Campa, III, M.D., submitted a curriculum vitae in this matter. The curriculum vitae provides that Dr. Campa received a medical degree from the Faculty of Medicine, Universidad Autonoma de Nuevo Leon, in Monterrey, Mexico, in 1982. In July 1983, Dr. Campa completed an internship at the Texas Tech Regional Academic Health Sciences Center at the Texas Tech University School of Medicine in Lubbock, Texas. Thereafter, Dr. Campa started a residency in psychiatry at that institution; however, it does not appear that Dr. Campa completed that residency. (Respondent's Exhibit [Resp. Ex.] B-1 at 15-17).

   Thereafter, in December 1987, Dr. Campa started a residency in neurology at the University of Cincinnati Medical Center, in Cincinnati, Ohio. He completed that residency in November 1990. Finally, Dr. Campa completed a post-doctoral fellowship in "Neuro-Pain" at the University of Cincinnati in 1991. Dr. Campa is certified by the American Academy of Pain Management. (Resp. Ex. B-1 at 15-17).

   Most recently, Dr. Campa practiced in Bartlesville, Oklahoma. (Resp. Ex. B-1 at 15).

2. Dr. Campa received a certificate to practice medicine and surgery in Ohio in April 1989. (Resp. Ex. B-1 at 16). That certificate was suspended by operation of law on April 1, 2001, for non-payment of renewal fee. The certificate has not been reinstated. (State's Exhibit [St. Ex.] 7).

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3. On August 22, 2000, an Indictment was filed in the U.S. District Court for the Eastern District of Tennessee at Chattanooga, in *United States of America v. John Ascencion Campa, III [U.S. v. Campa]*, Criminal No. 1:00-CR-101. The Indictment alleged that Dr. Campa practiced pain management and operated the Nashville Neuro-Pain Corporation in Nashville, Tennessee. The Indictment further alleged that, from 1994 through May 1997, Dr. Campa devised and implemented a scheme to defraud insurers in order to obtain money under "false and fraudulent pretenses." (St. Ex. 2). The Indictment claimed that Dr. Campa's scheme included the following:

   - submitting claims for services he did not render and for supplies he did not use;
   - recording "Procedure Notes" in patient medical records which were designed to mislead claims reviewers;
   - maintaining "Supply Lists" in an attempt to justify his Special Supplies billings;
   - maintaining separation between his patient care staff and his billing staff to avoid detection; and
   - resubmitting denied claims using different claim numbers, using different CPT codes, and billing for different amounts.

   (St. Ex. 2).

4. On April 17, 2001, Dr. Campa entered guilty pleas to seventy-seven felony counts. (St. Ex. 3; St. Ex. 5). On August 24, 2001, Dr. Campa appeared for sentencing. In a Judgment in a Criminal Case filed September 17, 2001, the court found Dr. Campa to be guilty of seventy-seven felony counts, as follows:

   - Counts No. 1-29 and 31-57, Mail Fraud, in violation of Title 18, United States Code, Section 1341;
   - Counts No. 58-72, Health Care Fraud, in violation of Title 18, United States Code, Section 1347; and
   - Counts No. 73-78, False Statements In Connection With Payment for Health Care Benefits, Items and Services, in violation of Title 18, United States Code, Section 1035.

   (St. Ex. 4). The court dismissed Count 30. Moreover, the court noted that "this case does not involve mistreatment of patients." (St. Ex. 4).

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The court ordered that Dr. Campa be incarcerated for twenty-four months, followed by supervised release for a period of three years. Moreover, the court ordered that Dr. Campa pay restitution in the amount of $219,650.36 and an assessment of $5,500.00. (St. Ex. 4).

5. In Respondent's Answer to Notice of Action on Licensure, Dr. Campa advised, in part, as follows:

> A not guilty plea was initially entered at arraignment at Knoxville, Tennessee. Dr. Campa believed his selection and application of CPT-4 codes 64700 series (Neuroplasty) and 99070 (Supplies and Materials) represented the codes that best described the procedure performed by him and the manner in which they should be billed for. * * * Dr. Campa continued in his beliefs and assertions until April 17, 2000, when he realized that he may have made a mistake in his selection and application of [billing codes].

(Resp. Ex. B-1 at 4-5).

6. In his November 30, 2001, letter to the Board, Dr. Campa wrote, in part, as follows:

> Having come to this point in my career, my family and I have been devastated knowing of my initial intent not to deceive. However, I found myself actually facing overwhelming evidence of that very fact. With this in mind, I chose to withdraw my initial plea of not guilty and enter a plea of guilty halting the proceedings. I accept full responsibility for this most regrettable mistake which began as a miscalculation and became a misrepresentation.

(Resp. Ex. B-1 at 2)

7. Dr. Campa further asked that Board consider certain facts in mitigation. These facts included that Dr. Campa had no prior criminal record, and had never been disciplined by a medical board although he maintained licenses in five states. Dr. Campa further stated that he has never been the subject of a medical malpractice action. Dr. Campa also submitted numerous letters in his support written by colleagues and patients. (Resp. Ex. B-2 and B-3). [Note: Many of these letters were written in 1995 and 1996. In addition, the State did not have an opportunity to cross-examine the authors of these letters.]

FINDINGS OF FACT

1. The certificate of John A. Campa, III, M.D., to practice medicine and surgery in Ohio was suspended by operation of law on April 1, 2001, for non-payment of renewal fees. The certificate has not been reinstated.

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2. In the U.S. District Court for the Eastern District of Tennessee at Chattanooga, Dr. Campa pleaded guilty to, and was found guilty of, the following seventy-seven felony counts: (a) Counts No. 1-29 and No. 31-57, Mail Fraud, in violation of Title 18, United States Code, Section 1341; (b) Counts No. 58-72, Health Care Fraud, in violation of Title 18, United States Code, Section 1347; and (c) Counts No. 73-78, False Statements Relating to Health Care Matters, in violation of Title 18, United States Code, Section 1035.

3. In the Judgment in a Criminal Case filed September 17, 2001, the court ordered that Dr. Campa be incarcerated for twenty-four months, followed by supervised release for a period of three years. Moreover, the court ordered that Dr. Campa pay restitution in the amount of $219,650.36 and an assessment of $5,500.00.

CONCLUSIONS OF LAW

The guilty pleas and judicial finding of guilt of John A. Campa, III, M.D., as described in Findings of Fact 2 and 3, constitutes "[a] plea of guilty to, a judicial finding of guilt of, or a judicial finding of eligibility for intervention in lieu of conviction for, a felony," as that clause is used in Section 4731.22(B)(9), Ohio Revised Code.

* * * * *

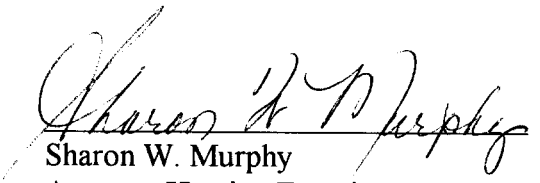
Dr. Campa developed a scheme by which he obtained money to which he was not entitled from various insurers. Moreover, Dr. Campa created medical records and other documents to conceal his misconduct. In the end, Dr. Campa was convicted of seventy-seven felonies based on false and fraudulent conduct during the course of his practice. Such conduct warrants the severest sanction.

PROPOSED ORDER

It is hereby ORDERED that:

The certificate of John A. Campa, III, M.D., to practice medicine and surgery in the State of Ohio shall be **PERMANENTLY REVOKED**.

This Order shall become effective immediately upon mailing of notification of approval by the Board.



Sharon W. Murphy
Attorney Hearing Examiner

State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.state.oh.us/med/

EXCERPT FROM THE DRAFT MINUTES OF FEBRUARY 13, 2002

REPORTS AND RECOMMENDATIONS

Dr. Somani announced that the Board would now consider the findings and orders appearing on the Board's agenda.

Dr. Somani asked whether each member of the Board had received, read, and considered the hearing record, the proposed findings, conclusions, and orders, and any objections filed in the matter of John A. Campa, III, M.D.; Khozema Campwala, M.D.; Dannie K. Gipe, Jr., M.D.; Lonnie Marsh, II, M.D.; Arturo Portales, D.O.; Susan M. Stone, M.D.; Stephen J. Sveda, M.D.; Philip G. Wagman, M.D.; and Jimmie Steve Ward, P.A. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Bhati	- aye
	Dr. Buchan	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Stienecker	- aye
	Dr. Garg	- aye
	Dr. Somani	- aye

Dr. Somani asked whether each member of the Board understands that the disciplinary guidelines do not limit any sanction to be imposed, and that the range of sanctions available in each matter runs from dismissal to permanent revocation. A roll call was taken:

ROLL CALL:	Mr. Albert	- aye
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Bhati	- aye
	Dr. Buchan	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Stienecker	- aye
	Dr. Garg	- aye
	Dr. Somani	- aye

Dr. Somani noted that, in accordance with the provision in Section 4731.22(F)(2), Revised Code, specifying that no member of the Board who supervises the investigation of a case shall participate in further adjudication of the case, the Secretary and Supervising Member must abstain from further participation in the adjudication of these matters.

Dr. Somani stated that if there were no objections, the Chair would dispense with the reading of the proposed findings of fact, conclusions and orders in the above matters. No objections were voiced by Board members present.

The original Reports and Recommendations shall be maintained in the exhibits section of this Journal.

JOHN A. CAMPA, III, M.D.

.....

DR. BUCHAN MOVED TO APPROVE AND CONFIRM MS. MURPHY'S PROPOSED FINDINGS OF FACT, CONCLUSIONS, AND ORDER IN THE MATTER OF JOHN A. CAMPA, III, M.D. DR. TALMAGE SECONDED THE MOTION.

.....

A vote was taken on Dr. Buchan's motion to approve and confirm:

Vote:	Mr. Albert	- abstain
	Dr. Egner	- aye
	Dr. Talmage	- aye
	Dr. Bhati	- aye
	Dr. Buchan	- aye
	Mr. Browning	- aye
	Ms. Sloan	- aye
	Dr. Stienecker	- aye
	Dr. Garg	- abstain
	Dr. Somani	- aye

The motion carried.

State Medical Board of Ohio

77 S. High St., 17th Floor • Columbus, OH 43215-6127 • (614) 466-3934 • Website: www.state.oh.us/med/

October 10, 2001

John A. Campa, III, M.D.
1916 Patterson Street, Suite 705
Nashville, Tennessee 37203

Dear Doctor Campa:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery, or to reprimand or place you on probation for one or more of the following reasons:

(1) Your certificate to practice medicine and surgery in Ohio was suspended by operation of law, on or about April 1, 2001, for non-payment of renewal fees, and has not been reinstated.

(2) In a Judgment Entry filed September 17, 2001, with the date of August 24, 2001, for the Imposition of Judgment, the U.S. District Court for the Eastern District of Tennessee at Chattanooga, you pleaded guilty to, and were found guilty of, the following seventy seven (77) felony counts:

Count No. 1-29 and No. 31-57, Mail Fraud, in violation of Title 18, United States Code, Section 1341.

Count No. 58-72, Health Care Fraud, in violation of Title 18, United States Code, Section 1347.

Count No. 73-78, False Statements Relating to Health Care Matters, in violation of Title 18, United States Code, Section 1035.

You were sentenced to imprisonment for twenty four (24) months. Upon release from imprisonment you were sentenced to supervised release [probation] for a period of three (3) years. Further, you were required to pay restitution in the amount of $219,650.36 and an assessment of $5,500.00.

The conduct leading to the above-referenced plea is more fully set forth in the Indictment. Copies of the Indictment, Minutes of Rearraignment and Judgment are attached hereto and incorporated herein.

Your guilty pleas and/or the judicial findings of guilt, as alleged in paragraph two (2) above, individually and/or collectively, constitute "[a] plea of guilty to, a judicial finding of guilt of, or a

Mailed 10-11-01

judicial finding of eligibility for intervention in lieu of conviction for, a felony," as that clause is used in Section 4731.22(B)(9), Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the offices of the State Medical Board within thirty (30) days of the time of mailing of this notice.

You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or by such other representative as is permitted to practice before this agency, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

In the event that there is no request for such hearing received within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, permanently revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Please note that, whether or not you request a hearing, Section 4731.22(L), Ohio Revised Code, effective March 9, 1999, provides that "[w]hen the board refuses to grant a certificate to an applicant, revokes an individual's certificate to practice, refuses to register an applicant, or refuses to reinstate an individual's certificate to practice, the board may specify that its action is permanent. An individual subject to a permanent action taken by the board is forever thereafter ineligible to hold a certificate to practice and the board shall not accept an application for reinstatement of the certificate or for issuance of a new certificate."

Copies of the applicable sections are enclosed for your information.

Very truly yours,

Anand G. Garg, M.D.
Secretary

AGG/jag
Enclosures

CERTIFIED MAIL # 7000 0600 0024 5147 3528
RETURN RECEIPT REQUESTED

Inmate No. 17629-074
FCI Three Rivers
P.O. Box 4000
Three Rivers, Texas 78007

CERTIFIED MAIL # 7000 0600 0024 5147 3436
RETURN RECEPT REQUESTED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

FILED

2000 AUG 22 [illegible]

U.S. DISTRICT COURT
EASTERN DISTRICT
BY [illegible]

UNITED STATES OF AMERICA,	)	
	:	
Plaintiff,	)	Criminal No. 1:00-CR-101
	:	
v.	)	JUDGE Collier
	:	
JOHN ASCENCION CAMPA, III,	)	
	:	
Defendant.	)	

INDICTMENT

THE FEDERAL GRAND JURY FOR THE EASTERN DISTRICT OF TENNESSEE CHARGES:

INTRODUCTION:

At times material to this Indictment:

A. THE DEFENDANT:

1. Defendant **JOHN ASCENCION CAMPA, III**, was a doctor licensed to practice medicine in the State of Tennessee. The defendant primarily practiced in the area of pain management.

2. Defendant **CAMPA** established and operated the Nashville Neuro-Pain Corporation, Inc. (hereinafter referred to as "NNPC"), and he used it to conduct patient evaluations and to perform various procedures. NNPC's principal place of business was in Nashville, Tennessee. Defendant **CAMPA**, through NNPC, did business with both private and government health care benefit programs located in Chattanooga, Tennessee, and elsewhere.

ATTEST: A true copy
Certified this AUG 29 2001
PATRICIA L. McNUTT, CLERK
Dep. Clerk

B. REIMBURSEMENT FROM HEALTH CARE BENEFIT PROGRAMS:

3. Health care benefit programs sponsored by Blue Cross Blue Shield of Tennessee (BCBS of Tennessee) and the United States Tennessee Valley Authority Medical Plan (USTVA Medical Plan) provided medical benefits pursuant to a plan or contract for employees or groups, commonly referred to as "beneficiaries", for the provision of health care benefits or services. Defendant **CAMPA** provided medical services to beneficiaries of both of these plans. Defendant **CAMPA** also provided medical services to beneficiaries of Medicare Part B, the United States Department of Labor's Office of Workers Compensation Programs, and CHAMPUS or TRICARE, the Military Health Benefits Plan, among others.

4. It was Defendant **CAMPA's** standard practice to use "fee vouchers" to code the services he provided to his patients and the supplies he and his staff used in rendering those services. Defendant **CAMPA** directed his billing staff to prepare reimbursement claims and submit them to BCBS of Tennessee and USTVA Medical Plan, via BCBS of Tennessee, on a Health Care Financing Administration Form 1500, or what is commonly referred to as a "HCFA 1500". Defendant **CAMPA's** standard practice was to mail each reimbursement claim to the claims processing center for each program. The submission of the HCFA 1500s was integral to Defendant **CAMPA's** scheme to defraud.

5. It was also Defendant **CAMPA's** standard practice to receive correspondence and reimbursement checks from the various health care benefit programs through the mail. Defendant **CAMPA** deposited, and sometimes directed various employees to deposit, these reimbursement checks into a bank account he controlled.

6. In order to identify each service rendered to and supplies used for his patients, Defendant **CAMPA** used codes established by the American Medical Association. These codes are referred to as the "Physician's Current Procedural Terminology" or "CPT Codes" or "billing codes", and are required to be listed on the HCFA 1500s. Defendant **CAMPA** marked, or sometimes directed his staff to mark, certain billing codes on fee vouchers. Defendant **CAMPA** then caused his staff to use these same billing codes in the preparation of the HCFA 1500s.

7. Defendant **CAMPA** kept himself informed and was aware of the appropriate billing codes for various procedures and Special Supplies used in those procedures. In addition, Defendant **CAMPA** kept manuals and correspondence from equipment manufacturers and distributors regarding applicable CPT codes for the equipment he used in various procedures.

8. Defendant **CAMPA** maintained and used patient records, including procedure notes and fee vouchers, to record, among other things, the services rendered to his patients and to be billed to the health care benefit programs. Defendant **CAMPA** also kept correspondence from health care benefit programs, including requests for documentation explaining or justifying questioned and audited reimbursement claims. Finally, Defendant **CAMPA** maintained physician remittance advices, which are used to document payments from a health care benefit program on a reimbursement claim.

C. THE SCHEME TO DEFRAUD:

9. Beginning at least as early as 1994, and continuing through at least in or about May 1997, in the Eastern District of Tennessee and elsewhere, Defendant **JOHN**

ASCENCION CAMPA, III, knowingly devised and intended to devise a scheme to defraud BCBS of Tennessee and USTVA Medical Plan, and to obtain, by means of false and fraudulent pretenses, representations, and promises, money belonging to and under the care, custody, and control of these health care benefit programs.

10. Defendant **CAMPA** accomplished this scheme by mailing HCFA 1500 forms containing false and fraudulent information to BCBS of Tennessee and USTVA Medical Plan to obtain, and attempt to obtain, payment for services he did not render and supplies he did not use. In this regard, Defendant **CAMPA**:

a. Submitted HCFA 1500 forms to BCBS of Tennessee and USTVA Medical Plan, which contained billing codes for a service called "Neuroplasty", which involves the repair of nerve tissue. However, in truth and in fact, as Defendant **CAMPA** then well knew, he performed a service called "Cryoanalgesia", which involves the destruction of nerve tissue and thus the use of different billing codes.

b. Submitted HCFA 1500 forms to BCBS of Tennessee and USTVA Medical Plan which contained a billing codes for Special Supplies he and his staff used on patients for various procedures. However, in truth and in fact, as Defendant **CAMPA** then well knew, (i) these so-called Special Supplies were not separately billable, (ii) neither he nor his staff used certain of these Special Supplies, or (iii) these Special Supplies were of a durable nature, such that they could be used over and over again with different patients and were therefore not billable every time he saw a patient.

11. In an attempt to justify his false and fraudulent Neuroplasty billings, Defendant **CAMPA** dictated and otherwise constructed "Procedure Notes", reflecting his interaction

with a patient and describing the procedure(s) performed by him or his staff on a particular date. Portions of Defendant **CAMPA's** Procedure Notes were designed to mislead claims reviewers and make it appear as if he truly performed Neuroplasty.

12. In an attempt to justify his false and fraudulent Special Supplies billings, Defendant **CAMPA** created, and directed his staff to create, various "Supply Lists", reflecting supplies and corresponding charges. Then, from time to time as requested by BCBS of Tennessee and USTVA Medical Plan, Defendant **CAMPA** submitted, and caused his staff to submit, these "Supply Lists" to claims reviewers to support the fraudulently billed Special Supplies amounts.

13. In an attempt to keep his employees from discovering his false and fraudulent billing practices, Defendant **CAMPA** directed and otherwise ordered that his medical staff and patient medical files be kept separate from his billing staff and patient billing files.

14. BCBS of Tennessee and USTVA Medical Plan did not discover Defendant **CAMPA's** false and fraudulent billing scheme right away and therefore many of Defendant **CAMPA's** false and fraudulent reimbursement claims were paid. However, because of developing concerns for Defendant **CAMPA's** billing practices, BCBS of Tennessee and USTVA Medical Plan began auditing Defendant **CAMPA's** reimbursement claims and denying some of these claims outright or until Defendant **CAMPA** submitted paperwork justifying the amounts billed. When this happened, Defendant **CAMPA** resubmitted some claims to BCBS of Tennessee under a different claim number and using different CPT codes and billed amounts, or submitted some of these same claims to "Second Insurers", such as Medicare, for the same or even higher billed amounts.

COUNTS 1 through 57

1. The Grand Jury adopts and incorporates the allegations contained in Part C of the Introduction to this Indictment as constituting the scheme to defraud and to obtain money from BCBS of Tennessee and USTVA Medical Plan by means of false and fraudulent pretenses, representations, and promises.

2. On or about each of the dates set forth below in Counts 1 through 57, in the Chattanooga Division of the Eastern District of Tennessee and elsewhere, Defendant **JOHN ASCENCION CAMPA, III**, for the purpose of executing and attempting to execute the aforesaid scheme and artifice to defraud, and to obtain money by means of false and fraudulent pretenses, representations, and promises, knowingly caused the items described below to be delivered by the United States Postal Service between Nashville, Tennessee, and Chattanooga, Tennessee, as listed below in each count:

COUNT	Mailing Date (On or About)	Item Mailed, Fraudulently Billed Service, and Amount Billed	Recipient Health Care Benefit Program
1	9/12/95	HCFA 1500 Claim #52582.3477 containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
2	9/15/95	HCFA 1500 Claim #52612.6080 containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
3	9/15/95	HCFA 1500 Claim #52612.6170 containing a bill for Special Supplies in the amount of $2,450 and four units of Neuroplasty in the total amount of $12,625.	BCBS of Tennessee

COUNT	Mailing Date (On or About)	Item Mailed, Fraudulently Billed Service, and Amount Billed	Recipient Health Care Benefit Program
4	9/26/95	HCFA 1500 Claim #52212.1457 containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
5	9/29/95	HCFA 1500 Claim #52752.7640 containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
6	10/6/95	HCFA 1500 Claim #52820.2428 containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
7	10/10/95	HCFA 1500 Claim #52862.0546 containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
8	10/11/95	HCFA 1500 Claim #52862.2023 containing a bill for, among other things, Special Supplies in the amount of $800.	BCBS of Tennessee
9	10/13/95	HCFA 1500 Claim #52892.6935 containing a bill for, among other things, Special Supplies in the amount of $200.	BCBS of Tennessee
10	10/13/95	HCFA 1500 Claim #53054.7089 containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
11	10/13/95	HCFA 1500 Claim #52892.7380 containing a bill for, among other things, Special Supplies in the amount of $1,050 and two units of Neuroplasty in the total amount of $6,600.	BCBS of Tennessee
12	10/17/95	HCFA 1500 Claim #52922.3401D containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee

COUNT	Mailing Date (On or About) Patient File	Item Mailed, Fraudulently Billed Service, and Amount Billed	Recipient Health Care Benefit Program
13	10/26/95	HCFA 1500 Claim #53034.0874W containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
14	10/30/95	HCFA 1500 Claim #53319.3530I containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
15	11/2/95	HCFA 1500 Claim #53263.1559 containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
16	11/3/95	HCFA 1500 Claim #53115.4486 containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
17	11/7/95	HCFA 1500 Claim #53135.2988 containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
18	11/7/95	HCFA 1500 Claim #53135.3160 containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
19	11/22/95	HCFA 1500 Claim #53489.8550W containing a bill for, among other things, Special Supplies in the amount of $800.	BCBS of Tennessee
20	11/29/95	BCBS of Tennessee Check for the payment of services billed on HCFA 1500 Claim #52334.4285X.	USTVA Medical Plan via BCBS of Tennessee
21	12/1/95	HCFA 1500 Claim #53609.3996 containing a bill for, among other things, Special Supplies in the amount of $1,200.	BCBS of Tennessee

COUNT	Mailing Date (On or About) Patient File	Item Mailed, Fraudulently Billed Service, and Amount Billed	Recipient Health Care Benefit Program
22	12/1/95	HCFA 1500 Claim #60592.3178E containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
23	12/1/95	HCFA 1500 Claim #60174.7292 containing a bill for, among other things, Special Supplies in the amount of $200.	BCBS of Tennessee
24	12/12/95	HCFA 1500 containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
25	12/12/95	HCFA 1500 Claim #52382.3438 containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
26	12/12/95	HCFA 1500 Claim #60184.4636 containing a bill for, among other things, two units of Neuroplasty in the total amount of $4,400.	BCBS of Tennessee
27	12/15/95	HCFA 1500 Claim #53522.6824S containing a bill for, among other things, Special Supplies in the amount of $1,400, and one unit of Neuroplasty in the total amount of $2,200.	BCBS of Tennessee
28	12/15/95	HCFA 1500 Claim #60123.1957W containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
29	12/15/95	HCFA 1500 Claim #60089.9488E containing a bill for, among other things, Special Supplies in the amount of $200.	BCBS of Tennessee

COUNT	Mailing Date (On or About) Patient File	Item Mailed, Fraudulently Billed Service, and Amount Billed	Recipient Health Care Benefit Program
31	12/20/95	HCFA 1500 Claim #53562.1791W containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
32	1/02/96	HCFA 1500 Claim #60042.1562W containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
33	1/16/96	HCFA 1500 Claim #60182.4246E containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
34	1/19/96	HCFA 1500 Claim #602320.0487 containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
35	1/19/96	HCFA 1500 Claim #60459.7324 containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
36	2/9/96	HCFA 1500 Claim #60432.6104 containing a bill for, among other things, Special Supplies in the amount of $1,400, and two units of Neuroplasty in the total amount of $5,550.	BCBS of Tennessee
37	2/14/96	HCFA 1500 Claim #604702.3813 containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee

COUNT	Mailing Date (On or About) Patient File	Item Mailed, Fraudulently Billed Service, and Amount Billed	Recipient Health Care Benefit Program
38	2/20/96	HCFA 1500 Claim #60542.1843W containing a bill for, among other things, Special Supplies in the amount of $700.	USTVA Medical Plan via BCBS of Tennessee
39	3/3/96	HCFA 1500 Claim #60662.3263 containing a bill for, among other things, Special Supplies in the amount of $1,400 and two units of Neuroplasty for a total amount of $5,350.	BCBS of Tennessee
40	3/12/96	HCFA 1500 Claim #61084.3570 containing a bill for, among other things, Special Supplies in the amount of $350.	USTVA Medical Plan via BCBS of Tennessee
41	3/26/96	HCFA 1500 Claim #62159.0547 containing a bill for, among other things, Special Supplies in the amount of $350.	USTVA Medical Plan via BCBS of Tennessee
42	3/31/96	HCFA 1500 Claim #60952.4682 containing a bill for, among other things, Special Supplies in the amount of $1,050.	BCBS of Tennessee
43	4/12/96	HCFA 1500 Claim #61169.2446 containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
44	4/12/96	HCFA 1500 Claim #61459.0874W containing a bill for, among other things, Special Supplies in the amount of $200.	BCBS of Tennessee
45	5/3/96	HCFA 1500 Claim #61524.8863 containing a bill for, among other things, Special Supplies in the amount of $1,400 and two units of Neuroplasty in the total amount of $5,550.	BCBS of Tennessee

COUNT	Mailing Date (On or About) Patient File	Item Mailed, Fraudulently Billed Service, and Amount Billed	Recipient Health Care Benefit Program
46	5/7/96	HCFA 1500 Claim #61312.2393E containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
47	5/10/96	HCFA 1500 Claim #61459.2859 containing a bill for, among other things, Special Supplies in the amount of $350.	BCBS of Tennessee
48	5/10/96	HCFA 1500 Claim #61459.2858 containing a bill for, among other things, Special Supplies in the amount of $1,400 and two units of Neuroplasty in the total amount of $5,949.	BCBS of Tennessee
49	5/17/96	HCFA 1500 Claim #61412.2282 containing a bill for, among other things, Special Supplies in the amount of $400.	BCBS of Tennessee
50	5/24/96	HCFA 1500 Claim #61492.3368W containing a bill for, among other things, Special Supplies in the amount of $700.	BCBS of Tennessee
51	5/31/96	HCFA 1500 Claim #61555.2529W containing a bill for, among other things, Special Supplies in the amount of $200.	BCBS of Tennessee
52	6/3/96	HCFA 1500 Claim #61572.1906E containing a bill for, among other things, Special Supplies in the amount of $200.	BCBS of Tennessee
53	6/5/96	HCFA 1500 Claim #61632.2138W containing a bill for, among other things, Special Supplies in the amount of $1,400.	BCBS of Tennessee

COUNT	Mailing Date (On or About) Patient File	Item Mailed, Fraudulently Billed Service, and Amount Billed	Recipient Health Care Benefit Program
54	6/14/96	HCFA 1500 Claim #61702.1937W containing a bill for, among other things, Special Supplies in the amount of $1,400.	BCBS of Tennessee
55	6/21/96	HCFA 1500 Claim #61762.7588 containing a bill for, among other things, Special Supplies in the amount of $700.	BCBS of Tennessee
56	6/25/96	HCFA 1500 Claim #61802.4348W containing a bill for, among other things, Special Supplies in the amount of $2,800 and four units of Neuroplasty in the total amount of $12,540.	BCBS of Tennessee
57	7/19/96	HCFA 1500 Claim 362042.2076S containing a bill for, among other things, Special Supplies in the amount of $700.	BCBS of Tennessee

Each count in violation of Title 18, United States Code, Section 1341.

COUNTS 58 through 72

1. The Grand Jury adopts and incorporates all of the allegations contained in Part C of the Introduction to this Indictment as constituting the scheme to defraud and to obtain money from BCBS of Tennessee and USTVA Medical Plan by means of false and fraudulent pretenses, representations, and promises, in connection with the delivery and payment for health care benefits, items, and services.

2. On or about each of the dates set forth below in Counts 58 through 72, in the Chattanooga Division of the Eastern District of Tennessee and elsewhere, Defendant **JOHN ASCENCION CAMPA, III**, for the purpose of executing and attempting to execute the aforesaid scheme and artifice to defraud, and to obtain money by means of false and fraudulent pretenses, representations, and promises, knowingly submitted and caused to be submitted the items described below in each count to the health care benefit program listed in each count, in connection with the delivery of and payment for health care benefits, items, and services:

Count	Date of Service & Patient File	Program Billed	Fraudulently Billed Benefits, Items, or Services
58	8/30/96	BCBS of Tennessee	HCFA 1500 Claim #62472.3460S containing a bill for, among other things, Special Supplies in the amount of $800.
59	8/30/96	BCBS of Tennessee	HCFA 1500 Claim #62472.3507 containing a bill for, among other things, Special Supplies in the amount of $350.
60	9/26/96	USTVA Medical Plan via BCBS of Tennessee	HCFA 1500 Claim #62742.8981R containing a bill for, among other things, Special Supplies in the amount of $400.

Count	Date of Service & Patient File	Program Billed	Fraudulently Billed Benefits, Items, or Services
61	9/27/96	USTVA Medical Plan via BCBS of Tennessee	HCFA 1500 Claim #62959.8090R containing a bill for, among other things, Special Supplies in the amount of $400.
62	10/11/96	BCBS of Tennessee	HCFA 1500 Claim #62882.2855S containing a bill for, among other things, Special Supplies in the amount of $700.
63	10/15/96	BCBS of Tennessee	HCFA 1500 Claim #62922.3841E containing a bill for, among other things, Special Supplies in the amount of $350.
64	10/25/96	BCBS of Tennessee	HCFA 1500 Claim #63042.1781 containing a bill for, among other things, Special Supplies in the amount of $350.
65	10/25/96	BCBS of Tennessee	HCFA 1500 Claim #63042.2190S containing a bill for, among other things, Special Supplies in the amount of $700.
66	11/8/96	BCBS of Tennessee	HCFA 1500 Claim #63162.8412 containing a bill for, among other things, Special Supplies in the amount of $350.
67	11/22/96	BCBS of Tennessee	HCFA 1500 Claim #70213.6112 containing a bill for, among other things, Special Supplies in the amount of $350.
68	12/6/96	BCBS of Tennessee	HCFA 1500 Claim #63462.1247S containing a bill for, among other things, Special Supplies in the amount of $700.
69	12/13/96	BCBS of Tennessee	HCFA 1500 Claim #63532.0829E containing a bill for, among other things, Special Supplies in the amount of $400.
70	12/17/96	BCBS of Tennessee	HCFA 1500 Claim #63542.1567 containing a bill for, among other things, Special Supplies in the amount of $350.
71	12/20/96	BCBS of Tennessee	HCFA 1500 Claim #63583.0172 containing a bill for, among other things, Special Supplies in the amount of $1,400 and one unit of Neuroplasty in the total amount of $3,746.
Count	Date of Service & Patient File	Program Billed	Fraudulently Billed Benefits, Items, or Services

72	3/7/97	BCBS of Tennessee	HCFA 1500 Claim #70699.6814 containing a bill for, among other things, Special Supplies in the amount of $1,082.75, Special Supplies in the amount of $3,114, and three units of Neuroplasty in the amount of $8,300.

Each count in violation of Title 18, United States Code, Section 1347.

COUNT 73

1. The Grand Jury adopts and incorporates the allegations contained in Part C of the Introduction to this Indictment as constituting Defendant **CAMPA's** scheme to defraud in connection with the delivery of or payment for health care benefits, items, and services.

2. On or about August 23, 1996, in the Eastern District of Tennessee, Defendant **JOHN ASCENCION CAMPA, III,** in connection with his furnishing of medical services to Sheila K., who was at that time a beneficiary under a health care benefit program administered by BCBS of Tennessee, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations, and made and used materially false writings and documents, knowing the same to contain materially false, fictitious, and fraudulent statements and entries in connection with the delivery of and payment for health care benefits, items, and services, that is, the submission of a HCFA 1500 form to BCBS of Tennessee, Claim #62979.6039, containing a bill for Special Supplies in the amount of $400, and representing that these Special Supplies were used in connection with services provided to , when in truth and in fact, as the defendant then well knew, no such amount of Special Supplies was used on this patient.

In violation of Title 18, United States Code, Section 1035.

COUNT 74

1. The Grand Jury adopts and incorporates the allegations contained in Part C of the Introduction to this Indictment as constituting Defendant **CAMPA's** scheme to defraud in connection with the delivery of or payment for health care benefits, items, and services.

2. On or about December 9, 1996, in the Eastern District of Tennessee, Defendant **JOHN ASCENCION CAMPA, III,** in connection with his furnishing of medical services to Fern D., who was at that time a beneficiary under a health care benefit program administered by BCBS of Tennessee, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations, and made and used materially false writings and documents, knowing the same to contain materially false, fictitious, and fraudulent statements and entries in connection with the delivery of and payment for health care benefits, items, and services, that is, the submission of HCFA 1500 form to BCBS of Tennessee, Claim #70074.2523, containing a bill for Special Supplies in the amount of $400, and representing that these Special Supplies were used in connection with services provided to when in truth and in fact, as the defendant then well knew, no such amount of Special Supplies was used on this patient.

In violation of Title 18, United States Code, Section 1035.

COUNT 75

1. The Grand Jury adopts and incorporates the allegations contained in Part C of the Introduction to this Indictment as constituting Defendant **CAMPA's** scheme to defraud in connection with the delivery of or payment for health care benefits, items, and services.

2. On or about December 20, 1996, in the Eastern District of Tennessee, Defendant **JOHN ASCENCION CAMPA, III,** in connection with his furnishing of medical services to Billie H., who was at that time a beneficiary under a health care benefit program administered by BCBS of Tennessee, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations, and made and used materially false writings and documents, knowing the same to contain materially false, fictitious, and fraudulent statements and entries in connection with the delivery of and payment for health care benefits, items, and services, that is, the submission of HCFA 1500 form to BCBS of Tennessee, Claim #70629.1479, containing a bill for Special Supplies in the amount of $700, and representing that these Special Supplies were used in connection with services provided to ., when in truth and in fact, as the defendant then well knew, no such amount of Special Supplies was used on this patient.

In violation of Title 18, United States Code, Section 1035.

COUNT 76

1. The Grand Jury adopts and incorporates the allegations contained in Part C of the Introduction to this Indictment as constituting Defendant **CAMPA's** scheme to defraud in connection with the delivery of or payment for health care benefits, items, and services.

2. On or about February 14, 1997, in the Eastern District of Tennessee, Defendant **JOHN ASCENCION CAMPA, III,** in connection with his furnishing of medical services to Teresa D., who was at that time a beneficiary under a health care benefit program administered by BCBS of Tennessee, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations, and made and used materially false writings and documents, knowing the same to contain materially false, fictitious, and fraudulent statements and entries in connection with the delivery of and payment for health care benefits, items, and services, that is, the submission of a HCFA 1500 form to BCBS of Tennessee, Claim #70694.1316W, containing a bill for Special Supplies in the amount of $400 to BCBS of Tennessee, and representing that these Special Supplies were used in connection with services provided to ., when in truth and in fact, as the defendant then well knew, no such amount of Special Supplies was used on this patient.

In violation of Title 18, United States Code, Section 1035.

COUNT 77

1. The Grand Jury adopts and incorporates the allegations contained in Part C of the Introduction to this Indictment as constituting Defendant **CAMPA's** scheme to defraud in connection with the delivery of or payment for health care benefits, items, and services.

2. On or about March 28, 1997, in the Eastern District of Tennessee, Defendant **JOHN ASCENCION CAMPA, III,** in connection with his furnishing of medical services to Teresa D., who was at that time a beneficiary under a health care benefit program administered by BCBS of Tennessee, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations, and made and used materially false writings and documents, knowing the same to contain materially false, fictitious, and fraudulent statements and entries in connection with the delivery of and payment for health care benefits, items, and services, that is, the submission of a HCFA 1500 form to BCBS of Tennessee, Claim #70935.0478X, containing a bill for Special Supplies in the amount of $900.50 to BCBS of Tennessee, and representing these Special Supplies were used in connection with services provided to ., when in truth and in fact, as the defendant then well knew, no such amount of Special Supplies was used on this patient.

In violation of Title 18, United States Code, Section 1035.

COUNT 78

1. The Grand Jury adopts and incorporates the allegations contained in Part C of the Introduction to this Indictment as constituting Defendant**CAMPA's** scheme to defraud in connection with the delivery of or payment for health care benefits, items, and services.

2. On or about April 25, 1997, in the Eastern District of Tennessee, Defendant **JOHN ASCENCION CAMPA, III,** in connection with his furnishing of medical services to Teresa D., who was at that time a beneficiary under a health care benefit program administered by BCBS of Tennessee, knowingly and willfully made materially false, fictitious, and fraudulent statements and representations, and made and used materially false writings and documents, knowing the same to contain materially false, fictitious, and fraudulent statements and entries in connection with the delivery of and payment for health care benefits, items, and services, that is, the submission of a HCFA 1500 form to BCBS of Tennessee, Claim #71225.6423W, containing a bill for Special Supplies in the amount of $496.50 to BCBS of Tennessee, and representing these Special Supplies were used in connection with services provided to , when in truth and in fact, as the defendant then well knew, no such amount of Special Supplies was used on this patient.

In violation of Title 18, United States Code, Section 1035.

A TRUE BILL:

FOREPERSON

APPROVED:

CARL K. KIRKPATRICK
UNITED STATES ATTORNEY

By: _____
Jennifer Bolen
Assistant United States Attorney
800 Market Street, Suite 211
Knoxville, Tennessee 37902
865/545-4167, ext. 326

U. S. DISTRICT COURT for the EASTERN DISTRICT OF TENNESSEE at CHATTANOOGA

X REARRAIGNMENT

___ WAIVER OF INDICTMENT / PLEA

CASE NO. 1:00-CR-101

USA v. John Ascencion Campa, III

PRESENT: Honorable Curtis L. Collier U. S. District Judge

Jennifer Baker + Greg Charles Cross ___ Apptd X Retd ___ Ltd App

Asst. U. S. Attorney Weddle Attorney for Defendant

Deputy Clerk: Cynder Wolder Pretrial Services / Probation Officer: Anthony Green

Court reporter: Elizabeth Coffey

PROCEEDINGS: X Deft sworn ___ Financial affidavit executed ___ Court appointed atty under Crim Justice Act

___ Court may require deft to repay govt for cost of atty ___ Defendant waived appointment of attorney

X Defendant specifically advised of rights, Rule 11, FRCrP ___ Waiver executed

___ Defendant waived reading of indictment / information X Indictment / information read

X Defendant pleads guilty to Counts 1-29, 31-57, 58-72 + 73-78

X Court finds deft competent to plead; plea voluntary X Guilty plea accepted by Court; deft adjudged guilty

___ Plea agreement filed Agreement: accepted / not accepted; sealed / not sealed

X Deft referred to Probation Office for presentence investigation

BOND: Court ordered deft. released on _____ bond with following conditior

___ Standard conditions	___ No excessive use/ no use of alcohol	___ No firearms	Travel restricted to:
___ Report to Pretrial Svcs.	___ No use of contr. subst	___ House arrest	
___ Drug/alcohol screening		___ Electronic mon.	

___ Govt. motion for detention without bond: ___ granted ___ denied ___ Detention hearing:

___ Testimony by:

___ Defendant ineligible for release on bond:

SENTENCING: 8/24/01 @ 2:00 p.m.

ATTEST: A true copy
Certified this AUG 29 2001
PATRICIA L. McNUTT, CLERK
by [signature] Dep. Clerk

OTHER MATTERS:

Motion by govt. to dismiss Ct. 30; granted.

Defendant ___ remanded custody U.S. Marshal X released on bond ___ remained in custody ___ remained on bond

Court ordered file ___ sealed ___ unsealed Time: 10:15 to 10:35 Date: 4/17/01

EDTN Judgment in a Criminal Case (Rev. 8/01)
Sheet 1

Filed SEP 17 2001
Entd. Order Bk. 90 Pg. 63
Patricia L. McNutt, Clerk
By

UNITED States District Court
Eastern District of Tennessee

UNITED STATES OF AMERICA
v.
JOHN ASCENCION CAMPA, III

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 1:00-CR-101-1

Charles Cross
Defendant's Attorney

THE DEFENDANT:

OHIO STATE MEDICAL BOARD
OCT - 5 2001

[✓] pleaded guilty to count(s): 1-29 and 31-78 of the Indictment
[ ] pleaded nolo contendere to count(s) ___ which was accepted by the court.
[ ] was found guilty on count(s) ___ after a plea of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
See next page.			

The defendant is sentenced as provided in pages 2 through 9 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

[ ] The defendant has been found not guilty on count(s) ___.

[✓] Count(s) 30 of the Indictment [✓] is [ ] are dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and the United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No.:

Defendant's Date of Birth: 4/15/1954

Defendant's USM No.: 17629-074

Defendant's Residence Address:
c/o Ascencion M. Campa
318 Furr Drive
San Antonio, TX 78201

Defendant's Mailing Address:
c/o Ascencion M. Campa
318 Furr Drive
San Antonio, TX 78201

8/24/01
Date of Imposition of Judgment

Curtis L. Collier
Signature of Judicial Officer

CURTIS L. COLLIER, United States District Judge
Name & Title of Judicial Officer

SEP 17 2001
Date

ATTEST: A true copy
Certified this SEP 17 2001
PATRICIA L. McNUTT, CLERK
by ___ Dep. Clerk

ADDITIONAL COUNTS OF CONVICTION

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 U.S.C. § 1341	Mail fraud	July 19, 1996	1-29 and 31-57
18 U.S.C. § 1347	Health care fraud	March 7, 1997	58-72
18 U.S.C. § 1035	False statements in connection with payment for health care benefits, items and services	April 25, 1997	73-78

The Court notes that this case does not involve mistreatment of patients.

DEFENDANT: JOHN ASCENCION CAMPA, III
CASE NUMBER: 1:00-CR-101-1

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 24 months.

Said term of imprisonment consists of 24 months on each of Counts 1 through 29 and 31 through 78, all to run concurrently as to counts for a total of 24 months.

[✓] The court makes the following recommendations to the Bureau of Prisons:

that designation be made wherein the defendant can utilize his medical skills.

[ ] The defendant is remanded to the custody of the United States Marshal.

[ ] The defendant shall surrender to the United States Marshal for this district:
[ ] at ___ [] a.m. [] p.m. on ___.
[ ] as notified by the United States Marshal.

[✓] The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
[✓] before 12:00 p.m. on 9/24/01.
[ ] as notified by the United States Marshal.
[ ] as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

_____

_____

_____

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

_____
UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: JOHN ASCENCION CAMPA, III
CASE NUMBER: 1:00-CR-101-1

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years .

Said term of supervised release consists of 3 years on each of Counts 1 through 29 and 39 through 78, to be served concurrently as to counts.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13,1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

[✓] The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.

[✓] The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1) the defendant shall not leave the judicial district without permission of the court or probation officer;
2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4) the defendant shall support his or her dependants and meet other family responsibilities;
5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: JOHN ASCENCION CAMPA, III
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SPECIAL CONDITIONS OF SUPERVISION

The defendant shall pay any financial penalty that is imposed by this judgment, and that remains unpaid at the commencement of the term of supervised release.

The defendant shall provide the probation officer with access to any requested financial information.

The defendant shall not incur new credit charges or open additional lines of credit without permission of the probation officer until the restitution has been paid in full.

The defendant shall not be employed in a position of public or private trust without the permission of his probation officer.

The defendant shall not be self-employed without the permission of his probation officer.

The defendant shall perform 150 hours of community service as directed by the probation officer.

DEFENDANT: JOHN ASCENCION CAMPA, III
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CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B. The assessment is ordered in accordance with 18 U.S.C. § 3013.

	Assessment	Fine	Restitution
Totals:	$ 5,500.00	$	$ 219,650.36

[ ] The determination of restitution is deferred until _. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

[✓] The defendant shall make restitution (including community restitution) to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, if the United States is a victim, all other victims, if any, shall receive full restitution before the United States receives any restitution, and all restitution shall be paid to the victims before any restitution is paid to a provider of compensation, pursuant to 18 U.S.C. § 3664.

Name of Payee	*Total Amount of Loss	Amount of Restitution Ordered	Priority Order or Percentage of Payment
CIGNA-Medicare Attn: Harriette Smith P. O. Box 950 Nashville, TN 37202-0950	$33,405.56	$33,405.56	
TOTALS:	$ 219,650.36	$ 219,650.36	

[ ] If applicable, restitution amount ordered pursuant to plea agreement $ _

The defendant shall pay interest on any fine or restitution of more than $2500, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).

[✓] The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

[✓] The interest requirement is waived for the [ ] fine and/or [✓] restitution.

[ ] The interest requirement for the [ ] fine and/or [ ] restitution is modified as follows:

See 'Additional Restitution Payees' page.

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

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ADDITIONAL RESTITUTION PAYEES

Name of Payee	*Total Amount of Loss	Amount of Restitution Ordered	Priority Order Or Percentage of Payment
CIGNA Connecticut General Life Insurance Co. 900 Cottage Grove Road SI-S237 Bloomfield, CT 06002	$30,599.84	$30,599.84	
Medicare Services of Arkansas, New Mexico, & Oklahoma Attn: Thomas Blake P. O. Box 1418 Little Rock, AR 72203	$1,323.72	$1,323.72	
U.S. Tennessee Valley Authority Medical Plan Attn: William McBee 800 Market Street Knoxville, TN 37902	$2,714.30	$2,714.30	
CHAMPUS/Tricare Attn: Marian Schmidt 801 Broadway, Suite 362 Nashville, TN 37203	$4,104.00	$4,104.00	
Office of Workers Compensation Program P. O. Box 640884 Pittsburgh, PA 15264-0884	$899.00	$899.00	
Central States and Southwest Area Health & Welfare Fund Attn: Tim Krumwiede 9377 W. Higgins Road Rosemont, IL 60018	$22,664.91	$22,664.91	
BCBS - Federal Employees Program Attn: Joan Syler P. O. Box 830 Chattanooga, TN 37402	$5,087.02	$5,087.02	
BCBS - Private Attn: Joan Syler P. O. Box 830 Chattanooga, TN 37402	$59,639.11	$59,639.11	

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

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ADDITIONAL RESTITUTION PAYEES

Name of Payee	*Total Amount of Loss	Amount of Restitution Ordered	Priority Order Or Percentage of Payment
APWU Attn: Wendy G. Abraham P. O. Box 8834 Silver Spring, MD 20907	$11,184.13	$11,184.13	
Great Western Life & Annuity Attn: Brian Lane 8525 East Orchard Road, #2T3 Englewood, CO 80111	$13,764.00	$13,764.00	
Travelers Property Casualty Attn: Helen Finello One Tower Square, MPB Hartford, CT 06183-1722	$9,175.00	$9,175.00	
Aetna Life Insurance Company Attn: Linda M. Brislin 151 Farmington Avenue Hartford, CT 06156	$24,124.77	$24,124.77	
Mutual of Omaha Attn: Suzie Kesling Mutual of Omaha Plaza Omaha, NE 68715	$50.00	$50.00	
Principal Financial Group Attn: Kim Case 711 High Street Des Moines, IA 50392	$915.00	$915.00	

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: JOHN ASCENCION CAMPA, III
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SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

A [✓] Lump sum payment of $ 225,150.36 due immediately, balance due

[ ] not later than _, or
[ ] in accordance with [ ]C, [ ]D, or [ ]E below; or

B [✓] Payment to begin immediately (may be combined with [ ]C, [ ]D, or [✓]E below); or

C [ ] Payment in ____ (e.g., equal, weekly, monthly, quarterly) installments of $ _ over a period of _ (e.g., months or years), to commence _ (e.g., 30 or 60 days) after the date of this judgment; or

D [ ] Payment in ____ (e.g., equal, weekly, monthly, quarterly) installments of $ _ over a period of _ (e.g., months or years), to commence _ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or

E [✓] Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. Unless otherwise directed by the court, the probation officer, or the United States attorney, all criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, shall be made to **U.S. District Court, 800 Market St., Suite 130, Knoxville, TN 37902.** Payments shall be in the form of a check or a money order, made payable to U.S. District Court, with a notation of the case number.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

[ ] Joint and Several

Defendant Name, Case Number, and Joint and Several Amount:

[ ] The defendant shall pay the cost of prosecution.

[ ] The defendant shall pay the following court cost(s):

[ ] The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest (7) penalties, and (8) costs, including cost of prosecution and court costs.