

DCP/TJT:PJC
F.# 2021R01058

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

PERRY FRANKEL,

Defendant.

- - - - - X

S U P E R S E D I N G
M I S D E M E A N O R
I N F O R M A T I O N

Cr. No. 22-180 (S-2) (JS)
(T. 18, U.S.C., §§ 669, 982(a)(1),
982(a)(7), 982(b)(1), 2 and 3551 et
seq.; T. 21, U.S.C., § 853(p))

THE UNITED STATES CHARGES:

THEFT IN CONNECTION WITH HEALTH CARE

1. On or about October 4, 2021, within the Eastern District of New York and elsewhere, the defendant PERRY FRANKEL, together with others, did knowingly, willfully and without lawful authority convert to his own use money and property of a health care benefit program, to wit: by submitting and causing to be submitted a claim to Insurer-1, an entity whose identity is known to the United States, to be reimbursed for purportedly performing an evaluation and management service procedure upon S.H., an individual whose identity is known to the United States, which the defendant, in fact, did not perform.

2. For the submission of this claim, Insurer-1 reimbursed and paid the defendant PERRY FRANKEL, by and through Advanced Cardiovascular Diagnostics PLLC, \$41.91, in violation of Title 18, United States Code, Section 669.

(Title 18, United States Code, Sections 669, 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

3. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged herein, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(7), which requires any person convicted of a federal health care offense to forfeit property, real or personal, that constitutes, or is derived directly or indirectly from, gross proceeds traceable to the commission of such offense.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)(1), to seek forfeiture of any other

property of the defendant up to the value of the forfeitable property described in the forfeiture allegation.

(Title 18, United States Code, Section 982(b)(1); Title 21, United States Code, Section 853(p))

By Carolyn Pokorny, Assistant U.S. Attorney

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

By PJ Campbell, Trial Attorney

GLENN S. LEON
CHIEF, FRAUD SECTION
CRIMINAL DIVISION
U.S. DEPARTMENT OF JUSTICE

F. #2021R01058
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

PERRY FRANKEL,

Defendant.

SUPERSEDING INFORMATION

(T. 18, U.S.C., §§ 669, 982(b)(1), 2 and 3551 et seq.;
T. 21, U.S.C., § 853(p))

A true bill.

Foreperson

Filed in open court this _____ *day,*

of _____ *A.D. 20* _____

Clerk

Bail, \$ _____

Patrick J. Campbell, DOJ Trial Attorney, (718) 254-6366