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Department of Justice

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District of Massachusetts

FOR IMMEDIATE RELEASE

Tuesday, July 5, 2016

North Shore Ophthalmologist Agrees to Pay \$55,000 to Resolve False Medicare Billing Allegations

BOSTON – United States Attorney Carmen M. Ortiz announced today that Martin E. Cutler, M.D., an ophthalmologist with offices in Woburn and Gloucester, and his company, Martin E. Cutler, M.D., P.C., have agreed to pay \$55,000 to resolve allegations that they submitted false claims to Medicare. Specifically, the government alleged that, between January 2010 and December 2014, Dr. Cutler and his practice falsely billed Medicare for ophthalmic diagnostic imaging when there was no underlying diagnosis to justify the imaging. They also allegedly falsely billed Medicare for office visits where a prior claim for the same visit had been denied and the new claim was not supported by Dr. Cutler's documentation.

"This settlement is part of the government's ongoing efforts to fight Medicare fraud, whether the defendant is a large pharmaceutical company or an individual physician practice," said U.S. Attorney Ortiz. "Physicians have an obligation to bill only for medically reasonable and necessary services."

"Our agency will continue to aggressively investigate health care providers that bilk Medicare for unnecessary services just to boost profits," said Special Agent in Charge Phillip Coyne, U.S. Department of Health and Human Services Office of Inspector General. "And we will not tolerate greed, which can undermine medical decision-making and the public's trust in the health profession."

The settlement resolves allegations filed by a whistleblower, Brian Sachs. See *United States, et al., ex rel. Brian D. Sachs v. Martin E. Cutler, M.D., and Martin E. Cutler, M.D., P.C., d/b/a Cutler Eye & Skin Center*, No. 14-11879-IT (D. Mass.). The False Claims Act permits private parties to sue on behalf of the government for false claims for government funds and to receive a share of any recovery. Under the terms of the settlement agreement, the federal government will pay the whistleblower \$11,000 from the settlement amount.

U.S. Attorney Ortiz and HHS OIG SAC Coyne made the announcement today. It was handled by Assistant U.S. Attorneys Rayford Farquhar and Gregg Shapiro of Ortiz's Civil Division.

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Topic:

Healthcare Fraud