



**DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF INSURANCE FRAUD**

Investigative Summary Report



**STEVEN LLOYD RHODES
LISA A JACKMORE
CYNTHIA JANE PEREZ**

Case No. 14-216



**Prepared by
Paul Robbins
Detective**

TO: Angela Corey
State Attorney
4th Judicial Circuit of Florida

FROM: Paul Robbins, Detective
Department of Financial Services – Fraud Division
921 N. Davis Street, Bldg. B, Suite 149
Jacksonville, FL 32209

**SUBJECT: STEVEN LLOYD RHODES / LISA A JACKMORE
CYNTHIA JANE PEREZ**

Attached is this Division's Investigative Summary Report concerning the above captioned subject(s). At such time as this subject is convicted or in the event your office decides to negotiate a plea, in addition to full restitution to all victims and appropriate monetary fine, we respectfully request and strongly urge the subject be required to pay our cost of investigation as itemized below per Florida Statutes 938.27(1).

Detective Time:		
237 hours @	\$28.32 per hour	\$6,711.84
Lieutenant Time:		
1 hours @	\$38.32 per hour	\$38.32
Analyst Time:		
	\$21.22 per hour	\$0.00
Secretarial Time:		
1 hours @	\$15.27 per hour	\$15.27
Additional Costs:		
(Bank records, travel, etc.)		
TOTAL ESTIMATED INVESTIGATIVE COST		\$6,765.43

Investigative costs to the Department of Financial Services should be paid to
The Division of Insurance Fraud and forwarded to:

Florida Department of Financial Services
921 N. Davis Street, Bldg 'B', Ste 149
Jacksonville, FL 32209

TABLE OF CONTENTS

I. PREDICATION	1-7
II. DETAILS AND SUMMARY	8-46
III. DESCRIPTION OF SUBJECT	47-49
IV. LIST OF WITNESSES	50-52
V. RESTITUTION OWED TO VICTIMS	53-54
VI. EXHIBIT SECTION	55

I. PREDICATION

This investigation is predicated on a complaint received by C [REDACTED] V [REDACTED] in reference to possible fraudulent billing by Chiropractic Physician **STEVEN RHODES**. **RHODES** is the owner of **OCEAN VIEW HEALTH, INC**, located at 320 North 1st St, Suite 709, Jacksonville Beach, FL 32250. The complaint dates are from September 2013 to January 2014. The complaint also reveals treatment by unlicensed employees.

This investigation is in reference to the fraudulent activity of **STEVEN RHODES** and the unlicensed activity of **LISA JACKMORE** and **CYNTHIA PEREZ**. These subjects are alleged to have performed fraudulent billing for services and provided unlicensed massage/manual therapy and Chiropractic services. All of the acts occurred in Jacksonville Beach, Florida, Duval County in the 4th Judicial District.

Investigation was conducted to determine if the afore listed subjects violated:

First Charge

(Third Degree Felony – less than \$20,000.00)

817.234(1)(a)1 False and fraudulent insurance claims.—

(1)(a) A person commits insurance fraud punishable as provided in subsection (11) if that person, with the intent to injure, defraud, or deceive any insurer:

1. Presents or causes to be presented any written or oral statement as part of, or in support of, a claim for payment or other benefit pursuant to an insurance policy or a health maintenance organization subscriber or provider contract, knowing that such statement contains any false, incomplete, or misleading information concerning any fact or thing material to such claim;

2. Prepares or makes any written or oral statement that is intended to be presented to any insurer in connection with, or in support of, any claim for payment or other benefit pursuant to an insurance policy or a health maintenance organization subscriber or provider contract, knowing that such statement contains any false, incomplete, or misleading information concerning any fact or thing material to such claim; or

3a. Knowingly presents, causes to be presented, or prepares or makes with knowledge or belief that it will be presented to any insurer, purported insurer, servicing corporation, insurance broker, or insurance agent, or any employee or agent thereof, any false, incomplete, or misleading information or written or oral statement as part of, or in support of, an application for the issuance of, or the rating of, any insurance policy, or a health maintenance organization subscriber or provider contract; or

b. Who knowingly conceals information concerning any fact material to such application.

(10) As used in this section, the term "insurer" means any insurer, health maintenance organization, self-insurer, self-insurance fund, or other similar entity or person regulated under chapter 440 or chapter 641 or by the Office of Insurance Regulation under the Florida Insurance Code.

(11) If the value of any property involved in a violation of this section:

(a) Is less than \$20,000, the offender commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) Is \$20,000 or more, but less than \$100,000, the offender commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Is \$100,000 or more, the offender commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(12) As used in this section:

(a) "Property" means property as defined in s. 812.012.

(b) "Value" means value as defined in s. 812.012.

Second Charge

(Third Degree Felony – less than \$20,000.00)

817.034(4)(a)(3) – Florida Communications Act – Schemes to Defraud

1) LEGISLATIVE INTENT.—

(a) The Legislature recognizes that schemes to defraud have proliferated in the United States in recent years and that many operators of schemes to defraud use communications technology to solicit victims and thereby conceal their identities and overcome a victim's normal resistance to sales pressure by delivering a personalized sales message.

(b) It is the intent of the Legislature to prevent the use of communications technology in furtherance of schemes to defraud by consolidating former statutes concerning schemes to defraud and organized fraud to permit prosecution of these crimes utilizing the legal precedent available under federal mail and wire fraud statutes.

(2) SHORT TITLE.—This section may be cited as the "Florida Communications Fraud Act."

(3) DEFINITIONS.—As used in this section, the term:

(a) "Communicate" means to transmit or transfer or to cause another to transmit or transfer signs, signals, writing, images, sounds, data, or intelligences of any nature in whole or in part by mail, or by wire, radio, electromagnetic, photoelectronic, or photo optical system.

(b) "Obtain" means temporarily or permanently to deprive any person of the right to property or a benefit therefrom, or to appropriate the property to one's own use or to the use of any other person not entitled thereto.

(c) "Property" means anything of value, and includes:

1. Real property, including things growing on, affixed to, or found in land;
2. Tangible or intangible personal property, including rights, privileges, interests, and claims; and
3. Services.

(d) "Scheme to defraud" means a systematic, ongoing course of conduct with intent to defraud one or more persons, or with intent to obtain property from one or more persons by false or fraudulent pretenses, representations, or promises or willful misrepresentations of a future act.

(e) "Value" means value determined according to any of the following:

1.a. The market value of the property at the time and place of the offense, or, if such cannot be satisfactorily ascertained, the cost of replacement of the property within a reasonable time after the offense.

b. The value of a written instrument that does not have a readily ascertainable market value, in the case of an instrument such as a check, draft, or promissory note, is the amount due or collectible or is, in the case of any other instrument which creates, releases, discharges, or otherwise affects any valuable legal right, privilege, or obligation, the greatest amount of economic loss that the owner of the instrument might reasonably suffer by virtue of the loss of the instrument.

c. The value of a trade secret that does not have a readily ascertainable market value is any reasonable value representing the damage to the owner, suffered by reason of losing an advantage over those who do not know of or use the trade secret.

2. If the value of property cannot be ascertained, the trier of fact may find the value to be not less than a certain amount; if no such minimum value can be ascertained, the value is an amount less than \$300.

3. Amounts of value of separate properties obtained in one scheme to defraud, whether from the same person or from several persons, shall be aggregated in determining the grade of the offense under paragraph (4)(a).

(4) OFFENSES.—

(a) Any person who engages in a scheme to defraud and obtains property thereby is guilty of organized fraud, punishable as follows:

1. If the amount of property obtained has an aggregate value of \$50,000 or more, the violator is guilty of a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. If the amount of property obtained has an aggregate value of \$20,000 or more, but less than \$50,000, the violator is guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. If the amount of property obtained has an aggregate value of less than \$20,000, the violator is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) Any person who engages in a scheme to defraud and, in furtherance of that scheme, communicates with any person with intent to obtain property from that person is guilty, for each such act of communication, of communications fraud, punishable as follows:

1. If the value of property obtained or endeavored to be obtained by the communication is valued at \$300 or more, the violator is guilty of a third degree felony, punishable as set forth in s. 775.082, s. 775.083, or s. 775.084.

2. If the value of the property obtained or endeavored to be obtained by the communication is valued at less than \$300, the violator is guilty of a misdemeanor of the first degree, punishable as set forth in s. 775.082 or s. 775.083.

(c) Notwithstanding any contrary provisions of law, separate judgments and sentences for organized fraud under paragraph (a) and for each offense of communications fraud under paragraph (b) may be imposed when all such offenses involve the same scheme to defraud.

(d) Notwithstanding any other provision of law, a criminal action or civil action or proceeding under this section may be commenced at any time within 5 years after the cause of action accrues; however, in a criminal proceeding under this section, the period of limitation does not run during any time when the defendant is continuously absent from the state or is without a reasonably ascertainable place of abode or work within the state, but in no case shall this extend the period of limitation otherwise applicable by more than 1 year.

History.—s. 1, ch. 87-382; s. 1, ch. 2013-208.

Third Charge

(Third Degree Felony)

456.065(2)(d)1 Unlicensed practice of a health care profession

(1) It is the intent of the Legislature that vigorous enforcement of licensure regulation for all health care professions is a state priority in order to protect Florida residents and visitors from the potentially serious and dangerous consequences of receiving medical and health care services from unlicensed persons whose professional education and training and other relevant qualifications have not been approved through the issuance of a license by the appropriate regulatory board or the department when there is no board. The unlicensed practice of a health care profession or the performance or delivery of medical or health care services to patients in this state without a valid, active license to practice that profession, regardless of the means of the performance or delivery of such services is strictly prohibited.

(2) The penalties for unlicensed practice of a health care profession shall include the following:

(a) When the department has probable cause to believe that any person not licensed by the department, or the appropriate regulatory board within the department, has violated any provision of this chapter or any statute that relates to the practice of a profession regulated by the department, or any rule adopted pursuant thereto, the department may issue and deliver to such person a notice to cease and desist from such violation. In addition, the department may issue and deliver a notice to cease and desist to any person who aids and abets the unlicensed practice of a profession by employing such unlicensed person. The issuance of a notice to cease and desist shall not constitute agency action for which a hearing under ss. 120.569 and 120.57 may be sought. For the purpose of enforcing a cease and desist order, the department may file a proceeding in the name of the state seeking issuance of an injunction or a writ of mandamus against any person who violates any provisions of such order.

(b) In addition to the remedies under paragraph (a), the department may impose by citation an administrative penalty not to exceed \$5,000 per incident. The citation shall be issued to the subject and shall contain the subject's name and any other information the department determines to be necessary to identify the subject, a brief factual statement, the sections of the law allegedly violated, and the penalty imposed. If the subject does not dispute the matter in the citation with the department within 30 days after the citation is served, the citation shall become a final order of the department. The department may adopt rules to implement this section. The penalty shall

be a fine of not less than \$500 nor more than \$5,000 as established by rule of the department. Each day that the unlicensed practice continues after issuance of a notice to cease and desist constitutes a separate violation. The department shall be entitled to recover the costs of investigation and prosecution in addition to the fine levied pursuant to the citation. Service of a citation may be made by personal service or by mail to the subject at the subject's last known address or place of practice. If the department is required to seek enforcement of the cease and desist or agency order, it shall be entitled to collect its attorney's fees and costs.

(c) In addition to or in lieu of any other administrative remedy, the department may seek the imposition of a civil penalty through the circuit court for any violation for which the department may issue a notice to cease and desist. The civil penalty shall be no less than \$500 and no more than \$5,000 for each offense. The court may also award to the prevailing party court costs and reasonable attorney fees and, in the event the department prevails, may also award reasonable costs of investigation and prosecution.

(d) In addition to the administrative and civil remedies under paragraphs (b) and (c) and in addition to the criminal violations and penalties listed in the individual health care practice acts:

1. It is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, to practice, attempt to practice, or offer to practice a health care profession without an active, valid Florida license to practice that profession. Practicing without an active, valid license also includes practicing on a suspended, revoked, or void license, but does not include practicing, attempting to practice, or offering to practice with an inactive or delinquent license for a period of up to 12 months which is addressed in subparagraph 3. Applying for employment for a position that requires a license without notifying the employer that the person does not currently possess a valid, active license to practice that profession shall be deemed to be an attempt or offer to practice that health care profession without a license. Holding oneself out, regardless of the means of communication, as able to practice a health care profession or as able to provide services that require a health care license shall be deemed to be an attempt or offer to practice such profession without a license. The minimum penalty for violating this subparagraph shall be a fine of \$1,000 and a minimum mandatory period of incarceration of 1 year.

DEFINITIONS – FSS

456 - HEALTH PROFESSIONS AND OCCUPATIONS

456.001 Definitions

4) “Health care practitioner” means any person licensed under chapter 457; chapter 458; chapter 459; **chapter 460**; chapter 461; chapter 462; chapter 463; chapter 464; chapter 465; chapter 466; chapter 467; part I, part II, part III, part V, part X, part XIII, or part XIV of chapter 468; chapter 478; **chapter 480**; part III or part IV of chapter 483; chapter 484; chapter 486; chapter 490; or chapter 491.

(5) “License” means any permit, registration, certificate, or license, including a provisional license, issued by the department.

460 – CHIROPRACTIC MEDICINE

460.403(5) – Chiropractic Physician

Means any person licensed to practice chiropractic medicine pursuant to this chapter.

460.403(9)(a) – Practice of Chiropractic Medicine

means a noncombative principle and practice consisting of the science, philosophy, and art of the adjustment, manipulation, and treatment of the human body in which vertebral subluxations and other malpositioned articulations and structures that are interfering with the normal generation, transmission, and expression of nerve impulse between the brain, organs, and tissue cells of the body, thereby causing disease, are adjusted, manipulated, or treated, thus restoring the normal flow of nerve impulse which produces normal function and consequent health by chiropractic physicians using specific chiropractic adjustment or manipulation techniques taught in chiropractic colleges accredited by the Council on Chiropractic Education. No person other than a licensed chiropractic physician may render chiropractic services, chiropractic adjustments, or chiropractic manipulations.

460.403(9)(c)1 - Chiropractic physicians may adjust, manipulate, or treat the human body by manual, mechanical, electrical, or natural methods; by the use of physical means or physiotherapy, including light, heat, water, or exercise; by the use of acupuncture; or by the administration of foods, food concentrates, food extracts, and items for which a prescription is not required and may apply first aid and hygiene, but chiropractic physicians are expressly prohibited from prescribing or administering to any person any legend drug except as authorized under subparagraph 2., from performing any surgery except as stated herein, or from practicing obstetrics.

460.403(10) – Registered Chiropractic Assistant

Means a person who is registered by the board to perform chiropractic services under the direct supervision of a chiropractic physician or certified chiropractic physician’s assistant.

480 – MASSAGE PRACTICE

480.033(3) - Massage

Massage” means the manipulation of the soft tissues of the human body with the hand, foot, arm, or elbow, whether or not such manipulation is aided by hydrotherapy, including colonic irrigation, or thermal therapy; any electrical or mechanical device; or the application to the human body of a chemical or herbal preparation.

480.033(4) – Massage Therapist

“Massage therapist” means a person licensed as required by this act, who administers massage for compensation

MANUAL THERAPY

(Chiroeco.com)

Manual therapy techniques are used to treat restricted motion of soft tissues in the extremities, neck, and trunk. These are used in an active and/or passive fashion to help effect changes in the soft tissues, articular structures, and neural or vascular systems.

Manual therapy is used when a loss of motor ability impedes function. Manual therapy is also considered a therapeutic procedure, on one or more areas and each for 15 minutes.

II. DETAILS

On February 4, 2014, O [REDACTED] V [REDACTED] made a complaint in reference to fraudulent billing at OCEAN VIEW HEALTH, INC (OVHI) by RHODES.

V [REDACTED] reported she was a patient of RHODES after being involved in an automobile accident. V [REDACTED] said she was reviewing her insurance bills (Notice of Explanation) and she noticed her insurance company, Nationwide Insurance, was billed for \$56,000.00 in services. V [REDACTED] said she did not receive all of the services that were billed for. She said the questionable time period is from September 2013 – January 2014. V [REDACTED] said the insurance company was billed for ultrasound, massage and traction at every visit. She did not have all of this treatment at every visit. She routinely only had adjustments and electrical stimulation.

V [REDACTED] said she had expressed concern several times when signing paper work for services that were not rendered. RHODES and his staff personally assured her that the paper work would be submitted correctly to the insurance company, but it was not. V [REDACTED] sent RHODES correspondence asking him to correct the billing situation but instead he was calling her asking her to meet to discuss this in person. RHODES told her that he would "make me happy."

On February 18, 2014, another complaint (TIP#T14-2025) was filed by Kemper Direct Insurance Company, SIU David Kunz. Kunz reported that his insured driver, A [REDACTED] R [REDACTED] N [REDACTED] was seeking treatment with RHODES at OVHI due to injuries sustained in an automobile accident. Kunz reported that OVHI is billing for manual therapy under CPT 97140 but the Subjective, Objective, Assessment, and Plan (SOAP) notes reveal treatment by a massage therapist with an expired massage license.

The investigation reveals fraudulent billing by Chiropractic Physician STEVEN RHODES. RHODES is the owner of (OVHI) located at 320 North 1st St Suite 709, Jacksonville Beach, FL 32250. RHODES' license is #CH3753. OVHI is also a licensed massage establishment, license #MM20796.

The investigation revealed CYNTHIA PEREZ and LISA JACKMORE performed treatment on patients without being properly licensed. RHODES allowed PEREZ and JACKMORE to provide treatment/therapy to patients without holding the proper license or certification as required by Florida State Statutes and the Florida Department of Health. According to the Florida Department of Health (DOH) website, the massage license of PEREZ, license #MA49443, expired on August 31, 2013. A search of the DOH site did not reveal any license for JACKMORE.

(EXHIBIT #1)

Information obtained from current and former employees revealed that PEREZ was aware her license was expired but she continued to treat patients. This information also revealed that in September 2013 RHODES was also aware that PEREZ'S license was expired.

From September 2013 through February 2014 PEREZ has performed documented manual therapy on five (5) patients twenty (20) times which is evident by the massage therapist notes completed and signed by PEREZ. These notes, along with the encounter/fee slip of RHODES are submitted to the billing company for submission for payment to the patient's insurance company. The notes for PEREZ reveal she was providing two (2) units of treatment on each patient she treated. Each unit of treatment is fifteen (15) minutes in duration. According to information from patient interviews PEREZ was documenting two (2) units when in fact she only performed one (1) unit. The information also reveals that RHODES was documenting more units of therapy on his fee/encounter slip than what was actually performed.

The investigation revealed that JACKMORE was placing patients on electrical stimulation, ultra sound and the roller table (traction). JACKMORE works at the office part time when help is needed. JACKMORE is not a Licensed Massage Therapist (LMT) or a Registered Chiropractic Assistant (RCA), therefore, it is a violation of Florida Statutes for her to provide any treatment to patients. This information was obtained through interviews of current and former employees.

On February 5, 2014, Detectives went to OVHI. Once Inside, Detective Murphy observed JACKMORE in a room with a patient. This room was later identified as the room for electrical stimulation, ultra sound and traction.

There have been numerous claims filed with different insurance companies for treatment performed on patients at OVHI by RHODES, PEREZ and JACKMORE. Some of the treatment, such as manual therapy, electrical stimulation and traction was never rendered. The same type of treatment was also billed for even though it was performed by unlicensed employees.

At this time at total of \$11,836.00 of unauthorized treatment has been billed to Kemper Insurance, State Farm Insurance, Nationwide Insurance, Optum (United Health Care) Progressive Insurance and Esurance.

(EXHIBIT #2)

CLAIM INFORMATION

C [REDACTED] V [REDACTED]

V [REDACTED] reported, from August 2013 to January 2014, Nationwide Insurance was billed for ultrasound, traction and manual therapies that she never received. V [REDACTED] provided a copy of her Explanation of Benefits and she marked the treatments she never received. She also received manual therapy on December 18, 2013 by PEREZ. PEREZ is unlicensed to perform this treatment.

MELISSA ROSS performed manual therapy on V [REDACTED]. ROSS is a Licensed Massage Therapist and a Certified Chiropractic Assistant. ROSS reported from around October 2013 to February 5, 2014, she would put two (2) units of manual therapy in her notes although she only provided one (1) unit of therapy. ROSS did this at the direction of RHODES so both of their notes reflected the same information.

NATIONWIDE INSURANCE

Treatment

CPT code 97035 – Ultrasound Therapy – (37) Units @ \$40.00 per unit - \$1,480.00

CPT code 97012 – Traction Therapy- (22) Units @ \$32.00 per unit - \$704.00

CPT code 97140 – Manual Therapy – (10) Units @ \$55.00 per unit - \$550.00

A total of \$2,734.00 in unauthorized treatment was submitted to Nationwide Insurance. The total amount paid out by Nationwide is pending.

(EXHIBIT #3)

D [REDACTED] E [REDACTED]

B [REDACTED] said her treatment only consisted of an adjustment by RHODES, massage/manual therapy and ultrasound. B [REDACTED] said she last received electrical muscle stimulation in May 2013. She has not had this treatment since May 2013 because she is pregnant.

On June 19, 2013, B [REDACTED] received two (2) units of massage therapy. On July 22, 2013, B [REDACTED] received two (2) units of manual therapy. B [REDACTED] also claimed her massage/manual therapy treatment only lasted around fifteen (15) minutes which would indicate one (1) unit of treatment. Each unit of massage/manual therapy is only fifteen (15) minutes. B [REDACTED] also said PEREZ performed manual therapy on her at least once.

MELISSA ROSS performed manual therapy on B [REDACTED]. ROSS is a Licensed Massage Therapist and a Certified Chiropractic Assistant. ROSS reported from around October 2013 to February 5, 2014, she would put two (2) units of manual therapy in her notes although she only provided one (1) unit of therapy. ROSS did this at the direction of RHODES so both of their notes reflected the same information.

From June 2013 to February 2014, B [REDACTED]'S insurance was billed for eighteen (18) units of electrical stimulation which she never received.

From June 2013 to February 2014, B [REDACTED]'S insurance was billed for sixteen (16) units of traction therapy which B [REDACTED] did not receive.

OPTUM (UNITED HEALTH CARE)

Treatment

CPT code 97012 – Traction Therapy – (16) Units @ \$32.00 per unit - \$502.00
CPT code 97014 – Electrical Muscle Stimulation – (18) Units @ \$40.00 per unit - \$720.00
CPT code 97124 – Massage Therapy – (2) Units @ \$50.00 per unit - \$100.00
CPT code 97140 – Manual Therapy – (2) Units @ \$55.00 per unit - \$110.00

There was \$1,432.00 in unauthorized bills submitted to OPTUM Insurance. The total amount paid by OPTUM is pending.

(EXHIBIT #4)

R [REDACTED] G [REDACTED]

G [REDACTED] said she was treating with RHODES from September 20, 2013 to February 2014. The treatment she receives from RHODES is an adjustment, massage/manual therapy, electrical muscle stimulation and hot packs. She only started receiving treatment on the traction roller table in February 2014. G [REDACTED] has received thirty (30) units of manual therapy. G [REDACTED] said her massage/manual therapy treatment only lasted around fifteen (15) minutes which would indicate one (1) unit of treatment. Each unit of massage/manual therapy is only fifteen (15) minutes. G [REDACTED] also claimed she received manual therapy by PEREZ on at least four (4) occasions. G [REDACTED] said that LISA JACKMORE placed her on electrical stimulation but she could not remember how many times.

MELISSA ROSS performed manual therapy on G [REDACTED]. ROSS is a Licensed Massage Therapist and a Certified Chiropractic Assistant. ROSS reported from around October 2013 to February 5, 2014, she would put two (2) units of manual therapy in her notes although she only provided one (1) unit of therapy. ROSS did this at the direction of RHODES so both of their notes reflected the same information.

From September 20, 2013 to January 31, 2014, G [REDACTED]'s insurance was billed for a total of thirty two (32) units of traction therapy. According to G [REDACTED] she never started receiving treatment on the traction table until February 2014.

STATE FARM INSURANCE

Treatment

CPT code 97012 – Traction Therapy – (32) Units @ \$30.00 per unit - \$960.00

CPT code 97140 – Manual Therapy – (31) Units @ \$55.00 per unit - \$1,705.00

There was \$2,665.00 in unauthorized bills submitted to State Farm Insurance. The total amount paid by State Farm is pending.

(EXHIBIT #5)

M [REDACTED] & H [REDACTED] S [REDACTED]

M [REDACTED] said she and her daughter H [REDACTED] received the same treatment. She said H [REDACTED] treated more than she did. M [REDACTED] said the treatment consisted of electrical stimulation, ultrasound, roller table traction, adjustment and manual therapy. M [REDACTED] said the massage/manual therapy treatment only lasted around fifteen (15) minutes which would indicate one (1) unit of treatment. Each unit of massage/manual therapy is only fifteen (15) minutes. She said PEREZ has performed some manual therapy on her. M [REDACTED] said she had the roller table less than five (5) times. Her adjustment was never longer than ten (10) to fifteen (15) minutes. The electrical stimulation was fifteen (15) minutes. M [REDACTED] said her total treatment lasted from forty (45) minutes to one (1) hour.

On November 4, 2013 and December 4, 2013 M [REDACTED] received two (2) units of manual therapy on both days.

MELISSA ROSS performed manual therapy on M [REDACTED] and H [REDACTED]. ROSS is a Licensed Massage Therapist and a Certified Chiropractic Assistant. ROSS reported from around October 2013 to February 5, 2014, she would put two (2) units of manual therapy in her notes although she only provided one (1) unit of therapy. ROSS did this at the direction of RHODES so both of their notes reflected the same information.

On November 20, December 4, 6 & 13, 2013, and January 31, 2014 H [REDACTED] received two (2) units of manual therapy each day. On January 29 & February 3, 2014 PEREZ provided two (2) units of documented manual therapy each day to H [REDACTED].

ESURANCE INSURANCE

Treatment

CPT code 97140 – Manual Therapy – (18) Units @ \$55.00 per each unit - \$880.00

There was \$880.00 in unauthorized bills submitted to ESURANCE. The total amount paid by ESURANCE is pending.

(EXHIBIT #6)

B [REDACTED] L [REDACTED]

L [REDACTED] said she started treating with RHODES on December 2, 2013. L [REDACTED] described her treatment as, electrical stimulation, roller table traction, massage/manual therapy and adjustment. L [REDACTED] said she has received ultrasound two (2) or three (3) times. The last time was in January 2014. L [REDACTED] said she has received the roller table treatment the last three (3) or four (4) times she has been to OVHI. L [REDACTED] said she has never received the roller table treatment until the week of February 17, 2014. L [REDACTED] said RHODES told her he will not bill her insurance company for future treatments on the roller table. L [REDACTED] said RHODES told her this because he has been billing the insurance company for the roller table treatment and she was not receiving the treatment.

L [REDACTED] said the massage/manual therapy treatment only lasted around fifteen (15) to twenty (20) minutes, never longer, which would indicate one (1) unit of treatment. Each unit of massage/manual therapy is only fifteen (15) minutes.

From December 3, 2013 to January 31, 2014, MELISSA ROSS performed six (6) documented manual therapy treatments on L [REDACTED]. Each treatment was performed as one (1) unit but documented and billed as two (2) units. ROSS is a Licensed Massage Therapist and a Certified Chiropractic Assistant. ROSS reported from around October 2013 to February 5, 2014, she would put two (2) units of manual therapy in her notes although she only provided one (1) unit of therapy. ROSS did this at the direction of RHODES so both of their notes reflected the same information.

PEREZ performed three (3) documented days of manual therapy to L [REDACTED]. Each treatment was documented as two (2) units although L [REDACTED] said her treatment was actually one (1) unit each time.

From December 2013 to February 2014, L [REDACTED]'S insurance was billed for twelve (12) units of manual therapy, eighteen (18) units of ultrasound therapy and seventeen (17) units of roller table traction that she never received.

PROGRESSIVE INSURANCE

Treatment

CPT code 97035 – Ultrasound Therapy – (18) Units @ \$40.00 per unit - \$720.00

CPT code 97012 – Traction Therapy – (17) Units @ \$30.00 per unit - \$510.00

CPT code 97140 – Manual Therapy – (12) Units @ \$55.00 per unit - \$660.00

There was \$1,890.00 in unauthorized bills submitted to Progressive Insurance. The total amount paid by Progressive is pending.

(EXHIBIT #7)

H [REDACTED] C [REDACTED]

C [REDACTED] said he started treating with RHODES at OVHI on April 22, 2013. C [REDACTED] said his treatment consisted of massage/manual therapy, ultrasound, electrical stimulation, traction-neck harness and an adjustment. C [REDACTED] said his massage /manual therapy would last no longer than fifteen (15) to twenty (20) minutes which would indicate one (1) unit of treatment. Each unit of massage/manual therapy is only fifteen (15) minutes. C [REDACTED] said his total treatment time lasted around forty five (45) minutes.

According to the documented notes of MELISSA ROSS she performed twenty seven (27) units of manual therapy on C [REDACTED] from April 24, 2013 to July 19, 2013. ROSS is a Licensed Massage Therapist and a Certified Chiropractic Assistant. Each day she performed manual therapy it was only one (1) unit. RHODES' notes revealed C [REDACTED] received two (2) units of manual therapy each day. The insurance was billed for twenty seven (27) extra units of therapy that was not performed. During this same period RHODES notes indicated C [REDACTED] received two (2) units of massage therapy and two (2) units of manual therapy on the same day. The days are April 29, 2013 and May 3, 2013. The insurance company was billed for four (4) units of massage therapy that was not performed.

STATE FARM INSURANCE

Treatment

CPT code 97140 – Manual Therapy – (27) Units @ \$55.00 per each unit - \$880.00

CPT code 97124 – Massage Therapy – (4) Units @ \$50.00 per each unit - \$200.00

A total of \$1,080.00 in unauthorized treatment was billed to State Farm Insurance. The total amount paid by State Farm is pending.

(EXHIBIT #8)

A [REDACTED] N [REDACTED]

N [REDACTED] said his treatment at OVHI consisted of an adjustment, electrical stimulation, ultrasound, roller table traction and massage/manual therapy. N [REDACTED] said his massage/manual therapy would last over twenty five (25) minutes.

On December 16, 2013, and January 8, 2014, MELISSA ROSS provided documented manual therapy to N [REDACTED]. ROSS is a Licensed Massage Therapist and a Certified Chiropractic Assistant. ROSS reported from around October 2013 to February 5, 2014, she would put two (2) units of manual therapy in her notes although she only provided one (1) unit of therapy. ROSS did this at the direction of RHODES so both of their notes reflected the same information.

From December 23, 2013 to January 31, 2014 there are eleven (11) days of documented manual therapy PEREZ provided to N [REDACTED]. Ten (10) of the days are documented as two (2) units of therapy and one (1) day was documented as (1) unit. On January 10, 2014 PEREZ provided two (2) units of documented manual therapy. These two (2) units of therapy were never billed to the insurance company.

KEMPER INSURANCE

Treatment

CPT code 97140 – Manual Therapy – (21) Units @ \$55.00 per each unit - \$1,155.00

A total of \$1,155.00 of unauthorized treatment was billed to Kemper Insurance. The total amount paid by Kemper is pending.

(EXHIBIT #9)

WITNESS INTERVIEWS

O [REDACTED] V [REDACTED]

February 5, 2014

V [REDACTED] said her treatment at OVHI with RHODES started in July 2013 until January 2014. She was treating Monday, Wednesday and Friday.

V [REDACTED] said from September 2013 to January 2014 she received the following treatment:

- 1.) Seven (7) to Ten (10) massage/manual therapy
- 2.) Three (3) ultrasound treatments
- 3.) Five (5) roller table treatments

V [REDACTED] said from September to October 2013 she received one (1) massage treatment each week. She only received one (1) massage in December 2013 and this was performed by CINDY PEREZ. V [REDACTED] only sought treatment three (3) or four (4) times in January 2014.

V [REDACTED] said she signed a treatment form for RHODES and a treatment form for the therapist prior to being treated for the day. V [REDACTED] recalled that she only signed one paper for visits in October

V [REDACTED] said it would take her from forty five (45) minutes to one (1) hour when she received only a manual adjustment and electrical stimulation. If she received more treatment it would last around one (1) and a half hours. This is including wait time.

V [REDACTED] said some of the staff at Ocean View during this time was as follows:

- 1.) MELISSA "MISSY" ROSS – LMT
- 2.) JESSICA "JESSIE" MOSELY – FRONT DESK/APPOINTMENTS
- 3.) STEVEN RHODES – DC
- 4.) TAMMY WILSON – FRONT DESK

(EXHIBIT #9)

TAMMY WILSON

February 5, 2014

WILSON said she worked for DR. STEVEN RHODES from October 20, 2013 until she was terminated on January 26, 2014.

WILSON said she was terminated for complaining about the suspicious billing involving O [REDACTED] V [REDACTED]. WILSON said RHODES fired her for "being in the way" and not being a "team player".

WILSON said she was a patient of RHODES for one month after an automobile accident and this is how she was able to gain employment with his clinic.

WILSON said she would shred the massage form the patient signed if a massage was not conducted. WILSON said the dates were left off the two forms the patient signed until RHODES dated it himself.

WILSON said all patient treatment and interaction is maintained in files or ledger cards.

WILSON said that patient A [REDACTED] N [REDACTED] is a "longtime" friend of SHARON WEAVER. WEAVER is the sister of RHODES. WEAVER is part time in the office. WEAVER is not related to employee DANELLE WEAVER.

WILSON said CINDY PEREZ has performed massage on around one hundred (100) patients.

WILSON said RHODES terminated his services with the billing company of "JOYCE" which was the first billing company. WILSON said RHODES said "JOYCE was an overly Christian woman that asked too many questions.

February 6, 2014

WILSON advised that she was contacted by MISSY (MELISSA ROSS), regarding the Detectives going to OCEAN VIEW HEALTH on February 5, 2014. RHODES was upset about the Detectives being at the office and said that he was going to blame others for what he was being investigated for regarding the fraudulent billing.

WILSON said MISSY explained that RHODES said that this was WILSON'S fault. RHODES then explained that he has told everyone that he fired WILSON but that technically she is still an employee. RHODES said, in regards to the fraudulent billing, these are minor things and he actually bent the law and did not break it. RHODES also explained that it was his office clerk who did the billing that caused the fraudulent billing and not him.

MISSY observed RHODES "re-doing" files to in order to blame the third party biller. RHODES also said he was going to blame the 3rd party biller.

STEVEN RHODES

February 5, 2014

Upon entering the business Detective MURPHY noticed a female performing some type of treatment or assisting a patient in a room on the right as you are entering the business. This person was later identified as LISA JACKMORE. While walking towards the front desk a female, later identified as Advanced Registered Nurse Practitioner (ARNP) DANIELLE WEAVER, asked if she could assist us. We asked if we could speak to RHODES and she had him come out of his office to meet with us. We asked RHODES if we could speak to him and he escorted us to his office.

RHODES said he uses the billing service of EVELYN RIVERA. RHODES started using RIVERA in the last couple of weeks.

RHODES said the office hours are mainly Monday, Wednesday and Friday. RHODES said he does come in on Tuesday and Thursday to complete paperwork and is available if a patient needs him. RHODES said the massage therapist regularly schedules patients on Tuesday.

RHODES said his staff consists of:

- 1.) MELISSA ROSS – LMT
- 2.) SHARON WEAVER – Sister – Part Time
- 3.) LISA JACKMORE – Part Time – Front Desk,
- 4.) CYNTHIA PEREZ – Massage Therapist

RHODES said that PEREZ has only been working at the office a “few days”. She has been in and out of the Hospital and she just came back from Texas.

RHODES said PEREZ does not perform massage therapy but assists RHODES with manual therapy.

RHODES said there has been no massage therapy billed under PEREZ’S license.

RHODES said PEREZ will assist with the therapy by putting patients on traction and “things like that”.

RHODES said that there are no full time employees. RHODES said all of the employees are part time.

RHODES was asked if he had any employees that are no longer working and he replied “not for years”.

RHODES was told there was an employee who was recently working at the office. RHODES said he forgot about that. RHODES said the employee is TAMMY WILSON and she worked the front desk, answered the phone and scheduled patients. RHODES said "I was not lying about that I really was not thinking about that at the time".

RHODES said his sister WEAVER has worked with him for twenty (20) years. RHODES said WEAVER is also a patient.

RHODES was told about claims for WEAVER through Progressive Insurance and said he treats WEAVER on the weekends.

RHODES said PEREZ completes SOAP notes on the areas she performs manual therapy performing soft tissue manipulation under RHODES' orders.

RHODES said he signs the SOAP notes on the areas he works on.

RHODES said he has maybe ten (10) or twelve (12) auto injury patients that are actively treating.

RHODES said WILSON no longer works for him because "we could not afford her", "we just weren't that busy".

RHODES said WILSON worked there about six (6) months.

RHODES was asked who the person was that let us in and he responded "probably Lisa". (It was later determined the person was DANIELLE).

RHODES agreed to let us speak to his employees.

RHODES was asked what modalities he performs on a patient. RHODES said he performs three (3) standard modalities:

- 1.) Ultrasound
- 2.) Electrical Muscle Stimulation
- 3.) Traction.

RHODES said the average treatment for a patient is two (2) to three (3) times each week for six (6) to ten (10) weeks.

RHODES agreed to let us speak to JACKMORE and he sent her to the office.

LISA JACKMORE

February 5, 2014

JACKMORE said she started work two (2) to three (3) weeks ago. She assists with the front desk. She helps out once in awhile. She “hooks the patients up for therapy”.

JACKMORE was asked how she got the job and she said she is friends with SHARON WEAVER.

JACKMORE does not hold any license. JACKMORE said she does not do any of the billing.

JACKMORE said she was also a previous auto injury patient. She started treatment a couple of years ago. Her insurance is with Allstate.

JACKMORE was asked if she did any additional work for RHODES. She was asked about being his housekeeper. She said she does not get paid for occasionally cleaning RHODES’ home.

When JACKMORE was asked about her husband being a patient and what his name is she became upset and stormed out of the room.

DANELLE WEAVER

February 5, 2014

Detectives attempted to interview DANELLE WEAVER prior to leaving RHODES' office. WEAVER is an Advanced Registered Nurse Practitioner (ARNP), license # ARNP9227262.

The interview ended when Attorney David Willis abruptly entered the room and requested that we leave the office.

February 20, 2014

Detectives interviewed DANELLE WEAVER at 1951 Watford Court, Jacksonville, FL 32246

WEAVER started working for RHODES on January 3, 2014 and her last day of work was on February 10, 2014.

WEAVER said she was supposed to perform some of the physical rehab and eventually family medicine with the supervising physician being a D■■■■ M■■■.

WEAVER said she was performing physical rehab and personal training. She is also a Certified Personal Trainer. WEAVER never started any family medicine.

WEAVER said during her short employment with RHODES she did have some patients for rehab. She gave a B-12 injection to one patient and a Lipo-B12 injection twice to another patient. The rest was for personal training such as, Resistance Training, Strength Training, Manually Stretching and Cardio on treadmill or bike.

WEAVER would also put patients on electrical stimulation but she never performed manual therapy or adjustment. WEAVER said she prints out her records and places it in the patient chart. There is a code on the fee slip for her treatment that RHODES would circle.

WEAVER said she performed the Emergency Medical Condition (EMC) on A■■■■ N■■■■. She would also place him on electrical stimulation and hydrocollator. WEAVER said A■■■■ N■■■■ is usually at the office for forty five (45) to fifty (50) minutes. His electrical stimulation is ten (10) – fifteen (15) minutes and the massage is about fifteen (15) minutes

WEAVER said she believed CINDY was an LMT until she was told her license had expired. WEAVER said MELISSA ROSS told her she brought this to the attention of RHODES around September or October 2013.

WEAVER said she observed CINDY perform massage or manual therapy on specific parts of the patient that RHODES told her to. CINDY worked on Monday, Wednesday and Friday.

WEAVER said CINDY would use the first room on the right as you walk in the office. WEAVER never actually observed the procedure only that CINDY would take the patient in the massage room and close the door.

WEAVER said she observed CINDY place patients on electrical stimulation and the hydrocollator. She said RHODES would have twenty (20) to thirty (30) patients a day.

WEAVER said she observed JACKMORE placing patients on electrical stimulation and on the hydrocollator. This particular room is the third room on the right as you enter the office. (This is the same room Detective Murphy observed JACKMORE in with a patient on February 5, 2014)

WEAVER said when she first started working at the office she was attempting to familiarize herself with the fee slip. She noticed a patient fee slip that showed she received ultra sound but she knows the patient did not receive ultra sound. She brought this to ROSS' attention. WEAVER does not remember the patient's name.

WEAVER said ROSS would make the copies of the fee slips and send them to the billing company.

WEAVER said on her final work day of February 10, 2014 she gave a Lipo-B12 injection to B [REDACTED] L [REDACTED]. She also placed L [REDACTED] on the electrical stimulation and the hydrocollator. She noticed that the ultra sound and massage were circled but she did not receive either treatment. WEAVER said L [REDACTED] did receive an adjustment from RHODES.

WEAVER spoke to ROSS about this and ROSS also said she did not perform a massage on her and scratched though the circled massage code.

WEAVER said ultra sound is around five (5) minutes and the traction is usually ten (10) minutes.

WEAVER said RHODES attorney WILLIS called her on February 17, 2014 wanting to find out what we spoke to her about on February 5, 2014.

WEAVER said RHODES wanted to speak to her today but she does not have anything to say to him.

DEBORAH BLANTON, M.D

February 6, 2014

BLANTON said she used to be a surgeon. She started in Medical Weight Loss after an injury kept her from performing surgery.

BLANTON said she was working at a clinic and one of her patients was Chiropractor RICHARD BLOOM. When the clinic she was at started to close BLOOM brought her to work for him out of his office.

BLANTON said when BLOOM'S office closed he referred BLANTON to RHODES because BLOOM owed BLANTON money but he could not pay her.

BLANTON said she had her own business of "BEACHES WEIGHT LOSS LLC". BLANTON worked out of RHODES office space. BLANTON said her business was a cash and credit card business.

BLANTON said RHODES' sister SHARON WEAVER works in the office once in awhile. WEAVER handles the bookkeeping. WEAVER possibly does book keeping for several unknown Doctors.

BLANTON said the new billing company is "EYES MEDICAL BILLING & CONSULTING". This is owned by EVELYN RIVERA. The phone numbers are 904-563-5838 (mobile) and 904-388-7002 (work).

BLANTON was asked about CINDY PEREZ. BLANTON said PEREZ was hired as an extra massage therapist. BLANTON personally observed PEREZ performing massages on at least three (3) patients per day.

MELISSA ROSS

February 7, 2014

ROSS said she started with DOCTOR STEVEN RHODES in January 2013. ROSS said she was referred to RHODES office by her friend K. [REDACTED] H. [REDACTED]. H. [REDACTED] was a patient of RHODES.

ROSS is a Licensed Massage Therapist (LMT) and a Registered Chiropractic Assistant (RCA).

ROSS said she works Monday, Wednesday and Friday doing manual therapy. She performs massages on Tuesday. ROSS said she has around seventeen (17) patients per day.

ROSS said from January-October 2013 she was mainly doing massage and manual therapy on patients. ROSS said from November 2013-February 6, 2014 she also worked the front office scheduling patients, answering the phones and logging in payments. ROSS said she never performed any billing. ROSS said the billing was handled by an outside billing company.

ROSS said that EVELYN RIVERA is with the new billing company. RIVERA is doing all of the new billing and JOYCE of E.J. TUCKER (former biller) is completing the previous billing.

ROSS said around August 2013 JOYCE was questioning why ROSS' patient forms were different than RHODES' forms in reference to the amount of time billed for treating the patient. ROSS said she felt that JOYCE was accusing her of improperly completing her required patient form.

ROSS was asked about C. [REDACTED] V. [REDACTED]. ROSS said she has only performed one (1) full massage on V. [REDACTED]. She said the remainder of the treatment was manual therapy/trigger point therapy.

ROSS said V. [REDACTED] complained about the insurance company being billed for treatment V. [REDACTED] did not receive.

ROSS was asked about the two forms V. [REDACTED] and other patients have to sign prior to being treated. ROSS said she does not know why the two forms have to be signed prior to being treated. ROSS said she would shred the therapist's form if no therapy was provided.

ROSS also said only the automobile patients have to sign both forms before treatment.

ROSS said there has been an increase in automobile patients in the last six (6) months.

ROSS was asked about how the patient data was maintained. She said there is a "ledger card". She said there is no medical account file or QuickBooks for the office. ROSS said the billing company has the patient account information.

ROSS was questioned about CINDY PEREZ. ROSS said PEREZ has worked for RHODES off and on for eight (8) years. ROSS said in August 2013 PEREZ filled in for her as a LMT while she was on vacation.

ROSS said she asked PEREZ for a copy of her license but PEREZ had no copy of the license because it was later found to be expired. ROSS said she told RHODES and RHODES said he would "handle it".

ROSS said that PEREZ became full time in December 2013 and she continues to work without a license. ROSS said that PEREZ works on Monday, Wednesday and Friday performing "manual therapy" on patients. ROSS said that PEREZ last worked on Monday, February 3, 2014.

ROSS said that PEREZ would have around six (6) to eight (8) patients per day.

ROSS was asked about employee LISA JACKMORE. [REDACTED]
[REDACTED] ROSS said JACKMORE is RHODES housekeeper as well as working in the office. JACKMORE puts patients on electrical stimulation.

ROSS said that on Wednesday, February 5, 2014 JACKMORE was making blank copies of fee slips and backdating the slips to October 2013 for RHODES to sign.

ROSS said RHODES' sister SHARON WEAVER is the office manager and a RCA. WEAVER is part time and fills in when needed.

ROSS said WEAVER is also an automobile patient. ROSS said WEAVER signs a "stack" of forms for treatment at one time.

K [REDACTED] R [REDACTED] (R [REDACTED] brother) has a son named S [REDACTED] R [REDACTED] that works on oil rigs. ROSS said there was treatment being billed for S [REDACTED] while he was possibly working on an oil rig.

ROSS also said that around fifty (50) percent of general medical patients do not pay any money out of pocket. She said the insurance is billed for each one of them. ROSS said this is usually for the "Professional" patients such as Attorneys, Judges and Doctors.

ROSS was asked about TAMMY WILSON. ROSS said WILSON was not only an employee [REDACTED] ROSS said RHODES said he "politically took care of the problem" when he terminated WILSON for questioning the billing.

ROSS said there is an automobile patient named N [REDACTED] D [REDACTED] that is a Government employee working in Japan, ROSS said there is possible billing for D [REDACTED] even though he is not in the United States.

ROSS said that RHODES usually only performs three (3) out of five (5) modalities but depending on the insurance company he will circle that he performed four (4) modalities.

ROSS said that RHODES will circle four (4) modalities if the insurance company is "Blue Cross". ROSS said the modalities are as follows:

- 1.) Hydrocollator
- 2.) Electrical Stimulation
- 3.) Traction Table
- 4.) Manual Adjustment
- 5.) Massage/Neuromuscular Therapy (manual therapy)

ROSS said prior to August 2013 she would put the time amount for treatment at one (1) unit for fifteen (15) minutes. ROSS said after August 2013 she was told to put two (2) units at thirty (30) minutes as the amount of time for treatment.

ROSS said RHODES will treat around thirty (30) patients per day. The treatment is usually ten (10) to fifteen (15) minutes on the table for adjustment and ten (10) to fifteen (15) minutes for electrical stimulation. ROSS said that all patients do not get treated by her.

ROSS said as many as six (6) patients can be treated at one time.

RHODES also discussed in front of ROSS that he deserves to be paid. ROSS said RHODES was implying it was okay to over bill for treatment to offset the loss of some claims not being paid.

February 21, 2014

I asked ROSS about A [REDACTED] N [REDACTED] and she said when he first started treatment he was coming in the office three (3) times a week. N [REDACTED] would come in only one (1) time a week during the middle of his treatment.

ROSS said for the last two (2) weeks N [REDACTED] was coming in the office for treatment three (3) times a week. ROSS said N [REDACTED] is an auto patient and he receives all of the treatment. N [REDACTED] received electrical stimulation, ultra sound, massage and an adjustment.

ROSS said N [REDACTED] comes in the office in the late afternoon and his treatment last around one (1) hour.

ROSS said a patient that works in the same building, T [REDACTED] B [REDACTED], calls himself "the missing link" because he is very hairy. ROSS said B [REDACTED] rarely receives electrical stimulation due to the hair on his back.

ROSS said while JESSICA MOSELEY was still working in the office RHODES would have JESSICA create a "master fee slip". ROSS said if a large payment came in on a patient a copy of the fee slip would be made and placed under the "travel card" on the front of the patient's folder. ROSS said RHODES did this so he would know what codes to bill for the next time.

February 28, 2014

ROSS said H [REDACTED] C [REDACTED] would sometimes receive two (2) units of manual therapy due to his body size.

ROSS said her notes prior to around October 2013 are correct. She said after being confronted by Joyce Tucker about the unit difference between her notes and STEVEN RHODES' notes RHODES told her to make sure her notes on amount of therapy units was the same as his.

ROSS said she started putting the same number of units of therapy to match RHODES' until February 5, 2014 when Detectives came to the office to interview RHODES. ROSS said since that day she has put the correct number of units on her notes.

ROSS said prior to February 5, 2014 the roller table was used "maybe five (5) times a month, if that". ROSS said now the table is being used on a regular basis.

ROSS said B [REDACTED] L [REDACTED] should have been receiving roller table therapy but she was not receiving it but RHODES was billing for it.

ROSS said the standard treatment for patients now consists of the following:

- 1.) Electrical Stimulation
- 2.) Massage/Manual Therapy
- 3.) Roller Table
- 4.) Adjustment

ROSS said a patient named R [REDACTED] W [REDACTED] has never had ultra sound or traction.

JOYCE & ELIOT TUCKER

February 11, 2014

The TUCKERS own E.J.TUCKER, INC which is a billing company. JOYCE said they have performed billing for RHODES for ten (10) years. They stopped new billing on January 15, 2014 but they are working on existing claims of RHODES.

On February 11, 2014, JOYCE said she received an email from RHODES mentioning a "massage lady" and that he needed to get bills that were sent out on her. JOYCE said the massage lady is CYNTHIA PEREZ.

(JOYCE provided email correspondence between her and RHODES)

JOYCE said she receives RHODES' fee slips and she creates the Health Insurance Claim Form (1500) with that information. JOYCE said if there is an "auto case" she has to send out documentation that includes the fee slips and the massage therapist notes.

JOYCE said the fee slip and notes are stapled to the 1500 and sent to the insurance company. The forms are not kept by JOYCE as backups.

JOYCE said over the ten (10) years working with RHODES she would receive the slips and notes either by fax, picking up in person or by a drop box (more recently).

JOYCE said the relationship ended due to more than one thing. She said one of the reasons was RHODES was using another billing company without their knowledge.

JOYCE said she found out in November 2013 or December 2013 another billing company was being used after receiving the EOBs knowing that she did not process that account.

JOYCE explained that she receives the EOB in order to post the payment to the patient's account. She said she puts in the services and then posts the payment to the account. She does not receive any actual checks for payment only a front copy of the check.

JOYCE said the actual check would go directly to RHODES office.

ELIOT said the only thing suspicious was the amount of procedures marked on a fee slip that would indicate the patient would have to be in the office longer. ELIOT said JOYCE confronted MELISSA ROSS about this some months ago.

JOYCE said she met with ROSS and RHODES around mid 2013 at RHODES' office. JOYCE said she spoke to ROSS and RHODES about the amount of billing codes on the fee slip.

JOYCE said she spoke to both of them separately and ROSS defended her work but RHODES sat quietly and said nothing.

JESSICA MOSELEY

February 11, 2014

MOSELEY said she started working for RHODES around December 2011 and she ended her employment in October 18, 2013. She started her current employment on October 21, 2013. MOSELEY said she took this new employment because of the pay and benefits.

MOSELEY said she performed front office duties, answered the phone, scheduled patients and received co-pays. MOSELEY also performed therapy on patients. MOSELEY said she is currently a Registered Chiropractic Assistant (RCA).

MOSELEY said the therapy she performed was as follows:

- 1.) Ultra Sound
- 2.) Muscle Stimulation (E-Stim)
- 3.) Traction – LMT would hook up patient and MOSELEY would turn the machine on)

MOSELEY said towards the end of her employment RHODES was charging for treatment he was not performing. MOSELEY was told to “keep her mouth shut” if she wanted a job.

MOSELEY remembers a patient named M [REDACTED] J [REDACTED] who was pregnant the entire time she was a patient. MOSELEY said J [REDACTED] was receiving Explanation of Benefits (EOBs) showing she received muscle stimulation when she would not have received it because of her being pregnant.

MOSELEY said she brought this to the attention of JOYCE TUCKER and TUCKER told her to mark that treatment off if J [REDACTED] never received the treatment.

MOSELEY said she started marking this treatment off but RHODES told her not to. MOSELEY said RHODES told her “this is what I am doing”. MOSELEY said she does not believe RHODES was performing this particular treatment he said he was.

MOSELEY said another patient named O [REDACTED] V [REDACTED] was a nanny and busy. At times V [REDACTED] would not be able to stay for a massage but RHODES would mark that V [REDACTED] would have two (2) units of massage.

MOSELEY told us that RHODES would tell ROSS to mark two (2) units of massage even if V [REDACTED] only actually received one (1) unit of massage.

MOSELEY said because ROSS’ notes were different from RHODES’ notes JOYCE TUCKER questioned ROSS about the discrepancy. MOSELEY said this was about two (2) months before MOSELEY left the office.

MOSELEY said the average patient would receive muscle stimulation or ultra sound, therapies and an adjustment. MOSELEY said sometimes RHODES would "throw in" a unit of massage.

MOSELEY said automobile patients always received a massage. MOSELEY said that is part of being an auto patient. MOSELEY said the auto patient would receive muscle stimulation, massage and an adjustment.

MOSELEY said she would write the patient name and date of service on the fee slip and RHODES would complete the form. MOSELEY said there were usually twenty five (25) to thirty (30) patients a day.

MOSELEY said there was another auto patient named H [REDACTED] C [REDACTED]. C [REDACTED] was a patient prior to MOSELEY leaving. MOSELEY said there may have been billing for massages that C [REDACTED] did not receive.

MOSELEY said CINDY PEREZ was at the office in December 2011 but left for Texas the summer of 2012. PEREZ came back for one week in August 2013 while ROSS was on vacation. MOSELEY said PEREZ started coming back doing the front office work just before MOSELEY left the office in October 2013.

MOSELEY said ROSS told her that PEREZ had an expired LMT license. ROSS printed the document and put it on RHODES' desk. This was around October 2013. MOSELEY said RHODES got mad at ROSS and threw the form away.

MOSELEY said she never observed PEREZ conduct a massage other then when she was taking over for ROSS while she was on vacation in August 2013.

MOSELEY said LISA JACKMORE is RHODES' housekeeper. JACKMORE would come in and help out with the front desk.

MOSELEY said JACKMORE would perform ultra sound and muscle stimulation. She said RHODES would teach how to perform this treatment. MOSELEY said she actually observed JACKMORE perform the treatment in 2011 just after she started.

MOSELEY said another pregnant medical patient is D [REDACTED] B [REDACTED]. She should not be receiving muscle stimulation.

A [REDACTED] N [REDACTED]
February 12, 2014

N [REDACTED] was being contacted because he had treated at OCEAN VIEW HEALTH INC (OVHI). According to a source, N [REDACTED] was a "long time friend" of SHARON WEAVER, the sister of STEVEN RHODES. According to Kemper SIU, Kunz, N [REDACTED] received massages from an unlicensed massage therapist during the treatment period at OVHI.

The contact with N [REDACTED] was recorded and the following is a summary of that recording.

Detective Murphy showed N [REDACTED] his identification and explained the purpose for the interview.

N [REDACTED] was told that the Detectives wanted to question him about his claim from his accident involving the four car collision (12/09/2013). N [REDACTED] was also told that the investigation involved suspected fraud. N [REDACTED] said that he did not know why he was being questioned. N [REDACTED] said he would try to answer questions and took the Detectives to a vacant room in order to conduct the interview.

N [REDACTED] originally said that he did not file a claim and that this is through his attorney.

N [REDACTED] confirmed that he went to OVHI and he was then asked if he received an EOB from his insurance company regarding his visits at OVHI. N [REDACTED] was shown a computer copy of an EOB from his claim.

N [REDACTED] said that he never received an EOB but if he got something like that his wife would have received it. N [REDACTED] was told that the EOB's were sent so that he could see what treatments were paid. N [REDACTED] was asked if he reviewed these documents and he said if he did he did not remember. N [REDACTED] said that after the accident there was a lot going on and he received a lot of forms and did not remember what he actually reviewed and filed out.

N [REDACTED] was asked if he ever received a massage prior to his accident. N [REDACTED] said he did not know what this had to do with this situation. N [REDACTED] was asked if he got a massage when he went to OVHI. N [REDACTED] responded that he thought he needed to call his attorney. After a brief description N [REDACTED] was allowed to call his attorney.

N [REDACTED] said that the name of his attorney is Krump and that he is in Tallahassee. N [REDACTED] then telephoned his attorney. N [REDACTED] said he wanted to talk to the attorney to cover his bases since this was all new to him. N [REDACTED] was having difficulty finding the phone number.

Detective Murphy told N [REDACTED] that they would not talk about the treatment and instead talk about OVHI. N [REDACTED] was then asked how he ended up going to OVHI. N [REDACTED] was then reminded that he was not suspected of doing anything wrong. N [REDACTED] said that he definitely knows that he did not do anything wrong. N [REDACTED] said that he would rather someone who was familiar with the "insurance stuff" answer the questions.

N [REDACTED] then was able to locate the number to Krump and called him from his cellular phone. "Jennifer" answered the call. N [REDACTED] then explained to Jennifer that he was being questioned by Detectives about his claim.

Detective Murphy agreed to speak to Jennifer. Detective Murphy then identified himself to Jennifer and explained the purpose for the visit. Jennifer was told that N [REDACTED] was not in trouble and that the investigation involved the claim and not N [REDACTED]. Detective Murphy told Jennifer that the interview had nothing to do with the accident and only involved his claim.

N [REDACTED] was then given the phone back and Jennifer told him to continue the interview. N [REDACTED] agreed to continue the interview but said he probably could not answer every question.

N [REDACTED] was asked if he received a massage from OVHI. N [REDACTED] said every time he went.

N [REDACTED] said that he was going that day and that he goes to OVHI two to three times a week.

N [REDACTED] said that he has written down his visits and keeps this in his car but could not remember the total number of visits without reviewing this.

N [REDACTED] was asked how he ended up going to OVHI. N [REDACTED] said that when he got into the accident he had people coming to him from everywhere. N [REDACTED] claimed that he went to his personal physician and that physician said he could not treat him and that he needed to go to a chiropractor.

N [REDACTED] said that "a friend of ours, brother, is a chiropractor". N [REDACTED] said that "she recommended him". N [REDACTED] was asked what the friend's name was and he was having trouble remembering the name. He eventually said that name was "Stephanie".

N [REDACTED] was asked if he knew of anyone else that worked at OVHI.

N [REDACTED] responded:

Him (the doctor of chiropractic medicine-DC)

Missy was one of the massage therapists, described as being short.

N [REDACTED] could not remember the second one, but admitted that Cindy was the other massage therapist when given the name. N [REDACTED] described Cindy as 5 foot 4 inches and Hispanic.

N [REDACTED] was asked what the sign in procedure was at OVHI. N [REDACTED] said that every time he goes he signs for when he arrives and he also signs for the time that he is "supposed to be there". N [REDACTED] said he does two "sign in's".

N [REDACTED] said that he thought he signed for each procedure as well. N [REDACTED] believed he did two or three procedures. N [REDACTED] said that one procedure is the massage and the other one is for probes that are applied to his back.

N [REDACTED] took the time to say that if he did not get a massage that particular day that he did not sign that particular form. N [REDACTED] said without prompting that he only signs forms for what he is there for, on that particular day.

N [REDACTED] said that it was maybe two times that he did not get a massage because there was a "bunch of people there".

N [REDACTED] said that he was at OVHI "at least an hour" on each visit.

N [REDACTED] said that he was seen by RHODES on his first visit. He was asked how much time he spent with RHODES on his first visit and N [REDACTED] asked, "Is this about him?" N [REDACTED] was reminded that the investigation is about the entire claim and not just one thing.

N [REDACTED] said that the first time he went to OVHI; RHODES did an evaluation from top to bottom. N [REDACTED] asked for the emergency room charts and then sent N [REDACTED] for x-rays. N [REDACTED] did not remember what day was his first visit. N [REDACTED] did not remember if he got x-rays the first day.

N [REDACTED] said that RHODES is very detailed in regards to N [REDACTED]'s complaints. N [REDACTED] said that he sees RHODES every time he goes to OVHI.

N [REDACTED] explained a typical visit at OVHI:

When he first gets there he signs in, then he goes to a room where they put probes on his back. N [REDACTED] said that he also gets a procedure with gel. After the probes N [REDACTED] goes back into the lobby and waits until the massage girl is available.

N [REDACTED] said that he gets a massage that is 25 or more minutes in length.

N [REDACTED] explained that when he is finished with the massage he goes back to the lobby to wait until he is called by RHODES.

N [REDACTED] explained that RHODES has N [REDACTED] lay on each side and RHODES then completes an adjustment on N [REDACTED]. N [REDACTED] also explained that he lies on his stomach and RHODES runs an object over his back that thumps his back.

N [REDACTED] said that RHODES then places him in a chair and cracks his neck.

N [REDACTED] admitted that occasionally he gets something like a hot pack placed on his back.

N [REDACTED] said that he goes to a different room where he lays flat and something moves like an ocean.

N [REDACTED] said that another woman works at OVHI and she did an independent evaluation of him. He described this woman as a person who just came from another hospital and he said her last name was WEAVER.

N [REDACTED] indicated that he went to OVHI on the following days:

December 13 at 3:00 PM, 16, 20, 23, 27, 30, January 6, 8, 10, 13, 15, 17, 20, 22, 24, 27, 29 February 3, 5, (did not go on 7th because RHODES was out of town), 10 and N [REDACTED] was going today (12th) but he was not going on the 14th.

N [REDACTED] said that he is normally off on Fridays so he did not want to go on the 14th.

N [REDACTED] was asked when the last time was that he called RHODES. N [REDACTED] asked if the question was that he called RHODES. N [REDACTED] was then asked if he called RHODES or either RHODES called N [REDACTED] or actually any communication with RHODES via his cellular phone.

N [REDACTED] said that he cannot remember when the last time was that he communicated with RHODES but that RHODES has called N [REDACTED] several times.

N [REDACTED] was asked if he spoke to RHODES via his cellular phone between since last Wednesday (02/05/2014) and today. N [REDACTED] said, "No". N [REDACTED] then clarified the question and responded that he did not remember talking to RHODES. N [REDACTED] said that RHODES was out of town Friday until Sunday. N [REDACTED] said that he spoke to RHODES on the 10th, while he was treating at OVHI.

N [REDACTED] said that RHODES did not tell him about the investigation.

N [REDACTED] was asked about Stephanie and N [REDACTED] said that Stephanie is a friend of the family.

N [REDACTED] was then asked if he knew SHARON. He then admitted that he knew SHARON but said that he did not know if SHARON worked at OVHI. N [REDACTED] admitted to knowing SHARON for sometime but denied going to school with her. N [REDACTED] said that he has been acquainted with SHARON for "awhile". When asked to explain in years, N [REDACTED] would not elaborate.

N [REDACTED] said that SHARON has told him that she comes to OVHI to help out. N [REDACTED] said that he has no idea who RHODES pays to work for him and there are people that come there but he does not know if they actually work at OVHI.

N [REDACTED] was asked if SHARON was a friend of his and he responded, "I've known her".

N [REDACTED] said that he did not come to the clinic through SHARON and it was actually a girl named Stephanie.

D [REDACTED] B [REDACTED]
February 25, 2014

B [REDACTED] had a work related injury and the pain management Doctor Lisa Tanner at Sunshine Spine & Pain referred her to STEVEN RHODES for chiropractic treatment.

B [REDACTED] said the work related injury was around two (2) years ago. B [REDACTED] said the workers compensation insurance is not billed any longer.

B [REDACTED] said she continues to treat for a back injury which is unrelated to the work comp injury. B [REDACTED] said she was originally treating three (3) times a week, Monday, Wednesday and Friday.

B [REDACTED] said she currently goes once a week for treatment. B [REDACTED] said her total treatment, including wait time, last around an hour and a half.

B [REDACTED] said her treatment consist of the following:

- 1.) Ultra sound – 5-10 Minutes
- 2.) Massage – 10-15 Minutes – never longer
- 3.) Spinal adjustment – 5 Minutes at the most

B [REDACTED] said she did receive electrical muscle stimulation (E-Stim) until she became pregnant. She said her last E-Stim was in May 2013. She did say that RHODES said even though she was pregnant she could still have the E-Stim.

B [REDACTED] said whoever was working the front desk would do the ultra sound on her. B [REDACTED] said JESSIE, TAMMY and SHARON have performed Ultra Sound Therapy on her.

B [REDACTED] said CINDY has given her only one (1) massage.

B [REDACTED] said when CINDY gave her a massage CINDY would talk a lot. CINDY mentioned to B [REDACTED] that her LMT license was expired, along with her driver's license being suspended.

B [REDACTED] said she noticed on her Explanation of Benefits (EOB) that there were five (5) codes circled but she knew she only had three (3) types of therapy in a day. She attempted to find out what the codes were with the insurance company but was frustrated for being placed on hold so she never pursued it. B [REDACTED] said she never confronted RHODES about this.

R [REDACTED] G [REDACTED]

G [REDACTED] said that she is currently treating at OVHI. G [REDACTED] maintained a written log of her visits with RHODES and referred to it during the interview.

G [REDACTED] said that she began her treatment with RHODES on September 20, 2013. G [REDACTED] said that her treatments were due to the accident that occurred on September 10, 2013.

G [REDACTED] said in the beginning she went to OVHI three (3) times per week and then that changed to two (2) times per week. G [REDACTED] said that OVHI is open Monday, Wednesday and Friday. G [REDACTED] explained that she did not go exactly three (3) days per week. G [REDACTED] said that her last visit at OVHI was February 14, 2013.

G [REDACTED] described her treatments as the following:

- 1) She lies on a bed and there are things that are stuck into her back that feels like needles. (electrical)
- 2) Hot packs
- 3) Massage
- 4) She receives an adjustment from Rhodes

G [REDACTED] explained that beginning last week she received a treatment that she never received before. G [REDACTED] was asked if it was a roller table and she said yes. G [REDACTED] said that she received this treatment on February 10, 12 and 14th. She further said that this treatment was in addition to the previously described treatments.

G [REDACTED] said that RHODES put her on the roller table. G [REDACTED] said that MISSY put her on the table as well and also a blond haired employee that she did not know.

G [REDACTED] said that after the electrical stimulation, she receives a massage, which is usually done by MISSY. G [REDACTED] said that MISSY concentrates on the injured area. G [REDACTED] said that her massage is 10 to 15 minutes in duration and she receives a massage on each visit.

G [REDACTED] said that she receives the electrical stimulation for about 10 to 15 minutes and adjustment to her neck on each visit.

G [REDACTED] said that she is always with RHODES 30 to 45 minutes on every visit. Occasionally RHODES has someone else assist him with what he is doing.

G [REDACTED] said that she believes that her visit at OVHI is about one (1) hour in length.

G [REDACTED] said that MISSY did most of the massages but she thinks that a Hispanic lady, possibly CINDY, also did massages.

G [REDACTED] also thought she recalled a LISA who also worked at OVHI. G [REDACTED] said that she remembered that LISA put her on electrical stimulation at times when G [REDACTED] went into OVHI to treat. However, she could not remember the number of times.

G [REDACTED] recognized RHODES, SHARON WEAVER (sister of RHODES), CINDY, LISA, TAMMY, and MISSY.

G [REDACTED] explained that the first massage at OVHI was completed by CINDY and G [REDACTED] believed that CINDY gave her at least four (4) massages. G [REDACTED] believed that CINDY got sick and that is why she no longer works at OVHI.

G [REDACTED] said that she always went to OVHI at 4:40 pm, every day that she went for treatment. G [REDACTED] said that she did not go in December for two (2) weeks because she was out of town.

G [REDACTED] said that she never received more treatments than what she explained. G [REDACTED] said she never received more than 10 to 15 minutes during the massage and it was never done two times or longer than the 15 minutes. G [REDACTED] said that CINDY's massages were only 15 minutes as well.

B [REDACTED] L [REDACTED]
February 25, 2014

L [REDACTED] began as a patient of RHODES on 12/2/2013, and she was referred to RHODES by attorney David Willis. B [REDACTED] F [REDACTED] directed L [REDACTED] to Willis.

L [REDACTED] went to RHODES three (3) times a week. L [REDACTED] described her treatment as:

- 1) Electrical stimulation
- 2) Roller table
- 3) Massage
- 4) Adjustments

L [REDACTED] said she has only received ultra sound two (2) or three (3) times, the last time a few weeks ago. L [REDACTED] said that she also gets hot pack treatments.

L [REDACTED] said that she has only received the roller table treatment the last three (3) or four (4) times she has gone to OVHI. L [REDACTED] said that she did not get the roller table treatment at all until last week. L [REDACTED] said that RHODES told her that an employee was not doing what they were supposed to do. L [REDACTED] was not even aware that she was supposed to be getting that treatment. L [REDACTED] said that MISSY put her on the table one time and RHODES put her on the other times. L [REDACTED] said that she assumed that TAMMY was the one that was not doing what she was supposed to be doing and this is the reason why she was no longer there.

L [REDACTED] said that MISSY, CINDY and TAMMY would apply the electrical stimulation (E-Stim) to her. L [REDACTED] said that it was usually whoever was at the front desk.

L [REDACTED] said it was mainly MISSY or TAMMY and only CINDY a few times.

L [REDACTED] said she was given a massage after the E-stim treatment. L [REDACTED] said the E-stim was 10 to 15 minutes in length.

L [REDACTED] said that MISSY gave her the majority of her massages. CINDY gave L [REDACTED] a few massages but she did not like the way that CINDY gave massages.

L [REDACTED] said the massage was 15 to 20 minutes in length. L [REDACTED] said the massage was never longer.

L [REDACTED] said that RHODES would do the adjustments and she was never with him for more than five (5) minutes. RHODES said that her initial visit was ten (10) minutes. L [REDACTED] said that RHODES went over the x-rays and MRI but the visit was not longer than ten (10) minutes.

L [REDACTED] said her injury involves her lower back and neck. L [REDACTED] said that usually the massage is the whole back but she has received ones that concentrated on certain areas.

L [REDACTED] said her last ultra sound was a few weeks ago. She said that this procedure only takes three (3) minutes. L [REDACTED] said her treatment time at OVHI is about 45 minutes.

L [REDACTED] was shown pictures of employees and identified, TAMMY, CINDY, RHODES, SHARON and MISSY. She does not know LISA or JESSICA.

L [REDACTED] said that she did see DANELLE, the nurse practitioner, after she was introduced by RHODES. DANELLE gave L [REDACTED] her B-12 injection. DANELLE may have put L [REDACTED] on e-stim.

L [REDACTED] said the last time she saw DANELLE was the 10th. On that date she received all of the treatments but not the roller table, ultra sound or massage. She remembered that she got e-stim, adjustments and an injection. L [REDACTED] remembered that she had to leave early to meet her boyfriend.

L [REDACTED] said that in the beginning of treatment at OVHI she always went at 1:30 to 2:00 PM. She later changed that to 5:00 PM as she gets off of work at 4:30 PM.

Detective Murphy explained one of the EOB's that indicated that L [REDACTED] had two (2) units of massage, which would be 30 minutes. L [REDACTED] said that she has never received a massage that lasted 30 minutes. During that week L [REDACTED] was actually charged for two (2) units on two (2) days. L [REDACTED] did not agree with that charge.

L [REDACTED] also said that she has never spent anymore than 5 minutes with RHODES and 10 on the initial visit. L [REDACTED] said she did not get a massage every time she went to OVHI as she did not want to spend a lot of time at OVHI.

L [REDACTED] said there were never any discussions about billing except for the last few times she went. L [REDACTED] said that RHODES told L [REDACTED] that since her insurance had already been billed for the roller table, and she never got that procedure, in the future RHODES would do the roller table procedure and not bill Progressive.

L [REDACTED] said that MISSY and RHODES have been the only ones to do the roller table procedure.

H [REDACTED] C [REDACTED]
February 26, 2014

C [REDACTED] said he was an existing patient of STEVEN RHODES.

C [REDACTED] said there was a one (1) year break in treatment before going back due to his automobile accident. C [REDACTED] went back to RHODES office for treatment from the auto accident.

C [REDACTED] said his treatment for this first visit was:

- 1.) Massage
- 2.) Ultra Sound Electrical Stimulation
- 3.) Chiropractic adjustment

C [REDACTED] said he cannot remember how long the initial visit with RHODES lasted. C [REDACTED] said his initial visit due to the auto accident was in April 2013. C [REDACTED] started treating three (3) times each week for the first two (2) months. This was on Monday, Wednesday and Friday. C [REDACTED] said his final visit was around September 2013.

C [REDACTED] said his treatment was regularly in the late afternoon just before RHODES office closed. This was due to C [REDACTED]'S work hours.

C [REDACTED] said he would receive the following treatment

- 1.) Massage
- 2.) Ultra Sound
- 3.) Electrical Muscle Stimulation (E-Stim)
- 4.) Chiropractic Adjustment.
- 5.) Traction – Neck Harness

C [REDACTED] said he would receive a massage at every visit for the first two (2) months. RHODES then started him on traction. C [REDACTED] said he may have had treatment on the roller table once or twice but he is not sure.

C [REDACTED] said he received the massage from MISSY and two (2) or three (3) times with CINDY. CINDY would fill in for MISSY. C [REDACTED] said MISSY, JESSIE and RHODES would place him on the E-Stim and Ultra Sound. He could not remember if CINDY ever placed him on the E-Stim or Ultra Sound.

C [REDACTED] said his massage usually lasted fifteen (15) to twenty (20) minutes but not longer than thirty (30) minutes. C [REDACTED] said the E-Stim and Ultra Sound lasted around ten (10) to fifteen (15) minutes each.

C[REDACTED] said his time with RHODES would last from five (5) to ten (10) minutes. C[REDACTED] said his total time of treatment lasted around thirty (30) to forty five (45) minutes.

C[REDACTED] was able to identify, from photos, RHODES, SHARON, MISSY, JESSICA, PEREZ and LISA JACKMORE. C[REDACTED] said J[REDACTED] is a member of the same Church and she is a patient of RHODES.

M [REDACTED] S [REDACTED]
March 5, 2014

S [REDACTED] said she was an existing, periodic, patient of STEVEN RHODES.

S [REDACTED] said she and her daughter H [REDACTED] started seeking treatment in November 2013 due to an automobile crash they were in.

S [REDACTED] said she missed a couple of months but her last day she was at RHODES' office was in February 2014. S [REDACTED] cannot remember if she went to RHODES' in December 2013 – January 2014.

S [REDACTED] said H [REDACTED] treated with RHODES' office more than she did. S [REDACTED] sister, M [REDACTED] P [REDACTED] is staying with her and usually takes H [REDACTED] for treatment. P [REDACTED] is a massage patient of MISSY.

S [REDACTED] said her treatment consisted of the following:

- 1.) ELECTRICAL STIMULATION – 15 minutes in duration
- 2.) ULTRA SOUND – Did not like it so she stopped it. Unknown the last time she had U/S – This was 5 minutes in duration
- 3.) ROLLER TABLE – Since November 2013 she has had this treatment less than five times. Last time was in February 2014 – This was 10 minutes in duration
- 4.) MASSAGE/MANUAL THERAPY – This is performed by MISSY. There were a few times CINDY performed this treatment – 15 minutes maximum in duration. She has never had this treatment for 30 minutes.
- 5.) ADJUSTMENT – This is usually 10-15 minutes in duration. Never longer.

S [REDACTED] said her treatment only lasted around forty (45) minutes to one (1) hour in duration.

S [REDACTED] said sometimes she would get at RHODES' office just around closing time, at 1800, and she would get an adjustment only.

S [REDACTED] said H [REDACTED]'S treatment was the same as hers but she is not sure if H [REDACTED] was put on the roller table.

S [REDACTED] said H [REDACTED] was seeking treatment two (2) to three (3) days each week. This would have been on Monday, Wednesday and Friday.

S [REDACTED] identified the following from a photograph:

- 1.) MELISSA "MISSY" ROSS – Massage Therapist
- 2.) SHARON WEAVER – RHODES' sister
- 3.) JESSICA "JESSIE" MOSELEY – Front office
- 4.) CYNTHIA "CINDY" PEREZ – Massage Therapist

EVELYN RIVERA

March 11, 2014

RIVERA said most of her business is consulting work. She currently has two (2) businesses she conducts billing for. The businesses are OCEAN VIEW HEALTH (OVHI) and WEST JAX SLEEP CENTER. STEVEN RHODES is the Chiropractor at OVHI.

RIVERA said she was referred to OVHI by an office manager with another Chiropractic Office. She could not remember the name of the Chiropractor.

RIVERA incorporated her business on 2008 but she started her business full time two years ago. RIVERA said she was actually hired by RHODES as a consultant to “streamline” his process because he was losing money.

RIVERA conducted an audit of OVHI around September 2013. She wanted to be sure it was going to benefit her financially, especially due to the distance between the two businesses.

RIVERA said she reviewed some Explanation of Benefits (EOB). She said on some of the patients the benefits were exhausted and it did not appear anyone was verifying insurance. RIVERA said even though patients were being scheduled, and treated, the insurance companies were not paying.

RIVERA said that OVHI was “out of network” which meant he would only receive sixty (60) percent from the insurance company as payment. This is for health insurance and not PIP.

RIVERA said she never actually started to take over the billing until she was sure it was going to return something. RIVERA said she started to take over the billing in November 2013.

RIVERA said OVHI still kept patient information on ledger cards and in the patient charts. RIVERA said she could only conduct an audit based on the charts and cards.

RIVERA said RHODES will fax, via an electronic fax server, the documents to her that she will need for proper billing:

- 1.) Encounter form (Fee Slip)
- 2.) The sign in sheet.
- 3.) Anything verifying the patient was actually in the office.
- 4.) Any LMT notes
- 5.) If a new patient, she will need the authorization of benefits so she could bill the insurance company

RIVERA said she will not conduct the billing if she does not receive all of the appropriate documents.

RIVERA said once she has all of the documents she will create the Health Form 1500. She will have the claim sent to the insurance company. RIVERA said she scans all records and keeps them on an external hard drive.

RIVERA said that OVHI receives the EOB and checks. OVHI will fax the EOB and a copy of the check to RIVERA.

RIVERA said she charged RHODES two (2) hours of consulting. She spoke to RHODES extensively about the massage and manual therapy notes.

RIVERA said RHODES explained he hired a massage therapist named CINDY and her license is expired. RHODES told her he only learned on February 5, 2014 that CINDY'S license was expired two (2) months prior.

(RIVERA forwarded an email to me she received from RHODES)

RIVERA said she has never conducted billing for any massages from OVHI. She did say OVHI is licensed as a massage establishment, license #MM20796.

RIVERA said she told RHODES that TUCKER needs to audit her records for any bills submitted under CINDY. RIVERA told RHODES that if any bills were submitted under CINDY the money needs to be reimbursed to the insurance company.

RIVERA said she explained to RHODES that whether or not he knew of CINDY'S license being expired it is still his responsibility to verify the license.

RIVERA said that manual therapy cannot be performed on the same area of the patient that RHODES performs an adjustment.

RIVERA said the treatment that is normally billed for is as follows:

- 1.) Chiropractic adjustment
- 2.) Electrical Stimulation (E-Stim)
- 3.) Ultra Sound
- 4.) Manual Therapy
- 5.) Massage if billable
- 6.) Neuromuscular reeducation
- 7.) Heating pads

RIVERA was asked about a unit of treatment. She said one (1) unit is eight (8) to fifteen (15) minutes. RIVERA said she told RHODES what the insurance allowed as far as time it took for the treatment.

RIVERA was asked how long two (2) units of massage are. RIVERA said it is hands on treatment for thirty minutes. This does not include dressing or undressing.

RIVERA said no PIP patient had to pay co-pay. If a patient does not have any other insurance to cover the twenty (20) percent that PIP does not pay the patient is responsible for the co-pay and OVHI must ask for the co-pay.

RIVERA said she told RHODES that if he felt in any way he did anything wrong that he needed to tell her. RHODES said he cannot think of anything. He said he just did not check CINDY'S license. He did not know it was expired.

RIVERA said you have to be a Licensed Massage Therapist (LMT) or a Registered Chiropractic Assistant (RCA) to perform electrical stimulation or ultrasound. RIVERA was asked what an RCA can do. RIVERA said x-ray, electrical stimulation, ultra sound and manual therapy.

RIVERA was asked about RHODES' billing for treatment occurring on the weekend. Any treatment at home or out of the office cannot be billed. It has to be free.

RIVERA felt that RHODES notes are lacking in information.

RIVERA said she picked out two (2) files on patients. The patients are A [REDACTED] N [REDACTED] and O [REDACTED] V [REDACTED].

DESCRIPTION OF SUBJECT(s)

NAME: STEVEN LLOYD RHODES

ALIAS:

RACE: WHITE

SEX: MALE

HEIGHT: 6'

WEIGHT: 180

HAIR: BROWN

EYES: BLUE

DATE OF BIRTH: 12/15/1951

PLACE OF BIRTH: FLORIDA

SOCIAL SECURITY NO.: 265-94-4993

MARITAL STATUS: UNKNOWN

ADDRESS: 926 2ND STREET SOUTH, JACKSONVILLE BEACH, FLORIDA 32256

PHONE: 904-270-2790 (work)

EMPLOYMENT: OCEAN VIEW HEALTH INC

DRIVER'S LICENSE NO: R320-792-51-455-0

CHIROPRACTIC PHYSICIAN LICENSE #CH3753 – EXPIRES 12/31/2018

ARREST RECORD: NO

ANTICIPATED CHARGES: **FALSE AND FRAUDULENT INFORMATION IN CONNECTION WITH THE FLORIDA COMMUNICATIONS ACT – SCHEMES TO DECEIVE**

DESCRIPTION OF SUBJECT(s)

NAME: CYNTHIA JANE PEREZ

ALIAS:

RACE: HISPANIC

SEX: FEMALE

HEIGHT: 5'8"

WEIGHT: 180

HAIR: BLACK

EYES: BROWN

DATE OF BIRTH: 02/17/1969

PLACE OF BIRTH: TEXAS

SOCIAL SECURITY NO.: 552-33-3134

MARITAL STATUS: UNKNOWN

ADDRESS: 11263 PRINCESSA LANE, JACKSONVILLE, FL 32216

PHONE: UNKNOWN

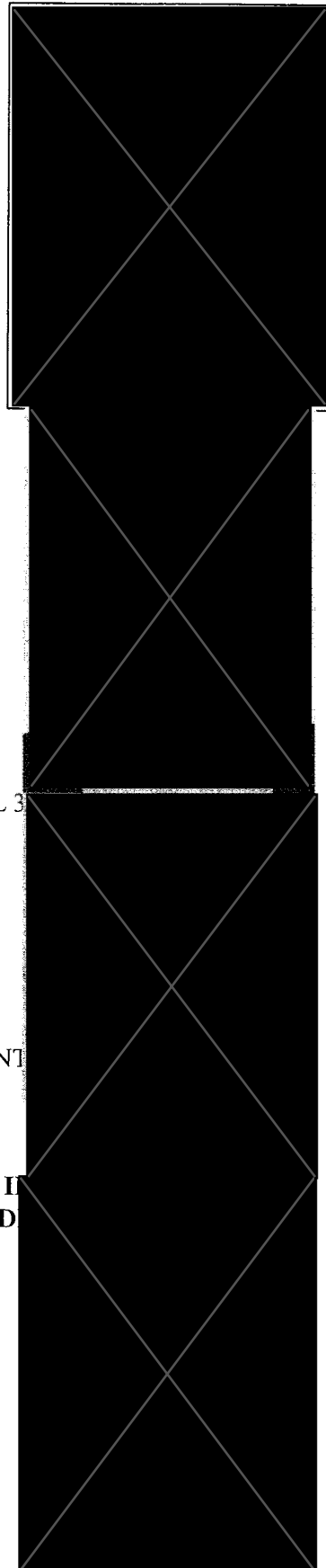
EMPLOYMENT: UNKNOWN

DRIVER'S LICENSE NO: P620-110-69-557-0

MASSAGE THERAPIST LICENSE MA49443 – DELINQUENT

ARREST RECORD: NO

ANTICIPATED CHARGES: **FALSE AND FRAUDULENT IDENTITY
FLORIDA COMMUNICATIONS ACT – SCHEMES TO DECEIVE**
DESCRIPTION OF SUBJECT(s)



NAME: LISA A JACKMORE

ALIAS:

RACE: WHITE

SEX: FEMALE

HEIGHT: 5'1"

WEIGHT: 130

HAIR: BROWN

EYES: BROWN

DATE OF BIRTH: 08/30/1966

PLACE OF BIRTH: NEW YORK

SOCIAL SECURITY NO.: 094-66-6548

MARITAL STATUS: MARRIED

LAST KNOWN ADDRESS: 12061 EVANS BLUFF COURT, J

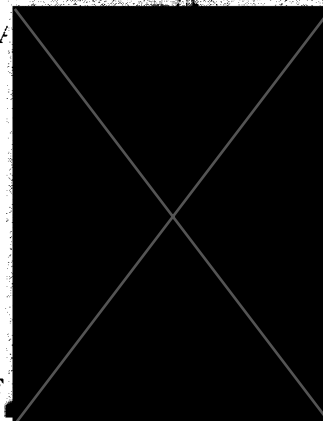
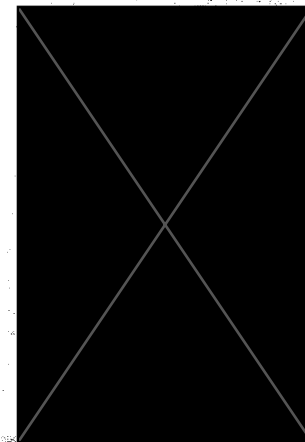
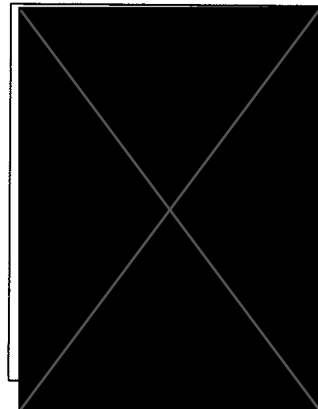
PHONE: UNKNOWN

EMPLOYMENT: UNKNOWN

DRIVER'S LICENSE NO: J256-521-66-810-0

ARREST RECORD: NO

ANTICIPATED CHARGES: **UNLICENSED PRACTICE OF
PROFESSION**



IV. LIST OF WITNESSES

- Witness #1: Detective P. Robbins
DFS/DIF
921 N. Davis Street, B-149
Jacksonville, FL 32209
904-798-4874
- Witness #2: Detective D. Murphy
DFS/DIF
921 N. Davis Street, B-149
Jacksonville, FL 32209
904-798-4881
- Witness #3: David Kunz
Special Investigator
Kemper Services Group
P.O. Box 66, Flagler Beach, FL 32136
877.305.4165 ext 4952
- Witness #4: Andy Stevenson, FCLS
SIU Investigator
Progressive Insurance
904-419-2033
407-264-6256
6500 Bowden Road Suite 201
Jacksonville, FL 32216
- Witness #5: Mark Caruso
Field Special Investigator
Nationwide, Allied, Victoria and Titan Insurance
P.O. Box 600154
Jacksonville, FL 32260
Cell: 904-625-0691
- Witness #6: Stacey Wagley
Senior Investigator, Government and Case Affairs (GCA)
Optum Insurance
MN 102-0300
11000 Optum Circle, Eden Prairie, MN 55344, USA
952-205-0597

Witness #7: Donald Winston
SIU
Esurance
3159 Royal Dr-Suite 320
Alpharetta GA 30022
(678)-366-8504

Witness #8: Alan Dean, CPCU
SIU Team Manager
State Farm Mutual Automobile Insurance Company
8001 Baymeadows Way
Jacksonville, FL 32256
904-828-1701

Witness #9: O [REDACTED] V [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Witness #10: Tammy Wilson
1821 Tanglewood Rd
Jacksonville, FL 32250
904-238-5386

Witness #11: Melissa Ross, LMT/RCA
10886 Creekview Dr
Jacksonville, FL 32225
904-226-1906

Witness #12: Danelle Weaver, ARNP
1951 Watford Court
Jacksonville, FL 32246
850-896-5018

Witness #13: Dr. Deborah Blanton
101 N. Mill Ridge Trail
Ponte Vedra Beach, FL 32082
904-334-0240

Witness #14: Jessica Moseley, RCA
550 Dutton Island Rd W
Atlantic Beach, FL 32233
904-401-4104

Witness #15: D [REDACTED] B [REDACTED]
[REDACTED]
[REDACTED]

Witness #16: H [REDACTED] C [REDACTED]
[REDACTED]
[REDACTED]

Witness #17: B [REDACTED] L [REDACTED]
[REDACTED]
[REDACTED]

Witness #18: R [REDACTED] G [REDACTED]
[REDACTED]
[REDACTED]

Witness #19: M [REDACTED] S [REDACTED]
[REDACTED]
[REDACTED]

Witness #20: Joyce Tucker
E. J. Tucker, Inc
2770 Pebbleridge Court
Orange Park, FL 32065
904-272-3440

Witness #21: Evelyn Rivera
Eyes Medical Billing & Consulting, Inc
2317 Blanding Blvd, Suite 2
Jacksonville, FL 32210
904-388-7964

V. RESTITUTION OWED TO VICTIMS

Restitution (ESTIMATES) to Victim(s) Should be Forwarded to:

Claimant: **STEVEN RHODES & OCEAN VIEW HEALTH, INC**

Amount owed to victim(s): **Pending**

Victim Name(s): Mark Caruso
Field Special Investigator
Nationwide, Allied, Victoria and Titan Insurance
P.O. Box 600154
Jacksonville, FL 32260
Cell: 904-625-0691

Claimant: **STEVEN RHODES & OCEAN VIEW HEALTH, INC**

Amount owed to victim(s): Pending

Victim Name(s): Stacey Wagley
Senior Investigator, Government and Case Affairs (GCA)
Optum Insurance
MN 102-0300
11000 Optum Circle, Eden Prairie, MN 55344, USA
952-205-0597

Claimant: **STEVEN RHODES & OCEAN VIEW HEALTH, INC**

Amount owed to victim(s): Pending

Victim Name(s): Andy Stevenson, FCLS
SIU Investigator
Progressive Insurance
904-419-2033
407-264-6256
6500 Bowden Road Suite 201
Jacksonville, FL 32216

Claimant: **STEVEN RHODES & OCEAN VIEW HEALTH, INC**

Amount owed to victim(s): Pending

Victim Name(s): David Kunz
Special Investigator
Kemper Services Group
P.O. Box 66, Flagler Beach, FL 32136
877.305.4165 ext 4952

Claimant: **STEVEN RHODES & OCEAN VIEW HEALTH, INC**

Amount owed to victim(s): Pending

Victim Name(s): Donald Winston
SIU
Esurance
3159 Royal Dr-Suite 320
Alpharetta GA 30022
(678)-366-8504

Claimant: **STEVEN RHODES & OCEAN VIEW HEALTH, INC**

Amount owed to victim(s): Pending

Victim Name(s): Alan Dean, CPCU
SIU Team Manager
State Farm Mutual Automobile Insurance Company
8001 Baymeadows Way
Jacksonville, FL 32256
904-828-1701

VI. EXHIBIT SECTION

Exhibit #1 – DOH printout of Perez's expired license

Exhibit #2 – (16) Interviews of employees & patients

Exhibit #3 – Nationwide claim documents on V [REDACTED]

Exhibit #4 – OPTUM claim documents on B [REDACTED]

Exhibit #5 – State Farm claim documents on G [REDACTED]

Exhibit #6 – ESURANCE claims document son S [REDACTED]

Exhibit #7 – Progressive claims on L [REDACTED]

Exhibit #8 – State Farm claim documents on C [REDACTED]

Exhibit #9 – Kemper Insurance claim documents on N [REDACTED]