

United States v. Dulce Briceno

Case No. 09-20748-Cr-Ungaro

AGREED FACTUAL BASIS FOR GUILTY PLEA

Beginning in approximately September 2006 and continuing through approximately March 2007, the defendant, Dulce Briceno, willfully conspired with others to commit health care fraud, in violation of 18 U.S.C. § 1349. Medicare is a "health care benefit program" of the United States, as defined in 18 U.S.C. § 24. Furthermore, Medicare is a health care benefit program affecting commerce.

Beginning in approximately September 2006, and continuing through approximately March 2007, Briceno was an owner and manager of Xpress Center, Inc. ("Xpress"), a medical clinic located at 16977 Farmington Road, Livonia, Michigan. Xpress purported to specialize in injection and infusion therapy.

In approximately September 2006, Briceno entered into an agreement with Daisy Martinez, Jose Rosario, and another co-conspirator. Briceno agreed to operate Xpress Center in exchange for a percentage of the Medicare reimbursements that would be paid to the clinic. Martinez, Rosario, and another co-conspirator agreed to provide Briceno with funds to open the clinic, and share their expertise in operating fraudulent injection and infusion therapy clinics with Briceno in return for a share in the illicit profits of the clinic.

Briceno employed Arnaldo Rosario to handle the two drivers at the clinic, Terrence Hicks and Wayne Smith, who were in turn responsible for recruiting and paying patients to attend the clinic. Briceno knew that all the patients who visited Xpress were paid in cash and/or prescriptions for powerful narcotic drugs to attend the clinic. Briceno also employed a doctor, Brandi Jenson, and a medical assistant, Deirdre Teagan, to purportedly provide infusion and injection therapy services to patients at the clinic.

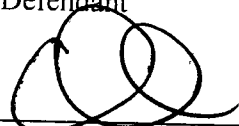
Briceno and her co-conspirators billed the Medicare program routinely for services that were medically unnecessary and, in many instances, never provided. Briceno and her co-conspirators purchased only a small fraction of the medication that was purportedly being administered to Xpress's patients. Briceno instructed Jenson to treat patients with medications that she, Briceno, knew the patients did not need, and in many instances, she knew the clinic did not have available to provide to patients. Briceno was aware that many of the treatments that Jenson ordered and for which she billed were never actually provided.

From in or about September 2006 through in or about March 2007, Briceno and her co-conspirators caused the submission of approximately \$2.3 million in false and fraudulent claims to be submitted to the Medicare program for services allegedly provided at Xpress. Medicare actually paid approximately \$1.8 million on these false and fraudulent claims.

The preceding statement is a summary, made for the purpose of providing the Court with a factual basis for my guilty plea to the charge against me. It does not include all of the facts known to me concerning criminal activity in which I and others engaged. I make this statement knowingly and voluntarily and because I am in fact guilty of the crime charged.

DATE: 10-8-09


DULCE BRICENO
Defendant


Orlando do Campo
Attorney for Defendant