

THE UNITED STATES ATTORNEY'S OFFICE
NORTHERN DISTRICT *of* GEORGIA

FOR IMMEDIATE RELEASE

Friday, March 25, 2016

Georgia Doctor Pleads Guilty to False Billing for Surgical Monitoring Performed by Medical Assistant

ATLANTA – Robert E. Windsor, an Atlanta-area physician, has pleaded guilty to health care fraud for filing claims for surgical monitoring services he did not perform.

“Windsor put patients at risk by passing the surgical monitoring work he was paid to perform to an unauthorized medical assistant and then lied about it,” said U.S. Attorney John Horn. “This doctor’s scam left patients without a qualified physician monitoring their neurological health during surgery and cheated other healthcare providers out of over \$1 million.”

“The conduct of Dr. Windsor was not only criminal, it was reckless and irresponsible. While Dr. Windsor's repeated and extensive practice of falsely billing for services that he himself did not render is at the heart of these federal charges, the potential risk and harm to those many patients who were not getting the required services should not be overlooked. This guilty plea will hold Dr. Windsor accountable for his greed based criminal conduct,” said J. Britt Johnson, FBI Special Agent in Charge,

“The callous disregard for patient safety, coupled with the arrogance of billing for services performed by an untrained employee, is shocking,” said Derrick Jackson, Special Agent in Charge for the HHS Office of Inspector General. “Together with our law enforcement partners, we will seek justice for Medicare beneficiaries and the program they depend upon and trust when they need health care services.”

“Health care fraud is a serious problem that undermines the ability of the Department of Defense to focus on warfighting and defense by diverting precious taxpayer dollars from our national security efforts. DCIS will relentlessly investigate those who defraud DoD’s critical programs, bring violators to justice, and recover funds wherever possible,” said John F. Khin, Special Agent in Charge of the Southeast Field Office-Defense Criminal Investigative Service.

According to United States Attorney Horn, the charges and other information presented in court: Robert E. Windsor, a licensed Georgia physician, entered into a contract with American Neuromonitoring Associates, P.C. (ANA), a Maryland corporation, to provide a medical service called intra-operative monitoring. In this medical procedure, a physician monitors a patient’s nerve and spinal cord activity during surgery to reduce potential adverse effects to the patient.

The contract stated that Windsor would provide real-time monitoring services for patients in surgery via an online platform with technologists in the operating room. Windsor was responsible for providing a final monitoring report at the conclusion of each surgery, and ANA and its sister company would thereafter bill patients and health care benefit programs, including private health insurance companies, for the monitoring. Windsor was paid a fee for each surgery monitored.

Between at least January 2010 through July 2013, Windsor instead assigned the monitoring to a medical assistant who impersonated Windsor by using Windsor's log-in credentials in the online platform. The medical assistant was not a doctor and was not permitted to perform the monitoring under the contract with ANA. Windsor submitted final monitoring reports falsely stating that he had conducted the monitoring, which ANA and its sister company relied upon in billing health care benefit programs for his services. On several occasions, Windsor billed ANA for monitoring services he purportedly performed when he was actually traveling on an international flight.

In total, after collecting reimbursements from insurers, ANA paid Windsor over \$1.1 million for monitoring services he did not perform during this time period. Investigators uncovered Windsor's fraud through analysis of Medicare billing data and complaints to the HHS-OIG Hotline at 800-HHS-TIPS.

Robert E. Windsor, 54, of Cumming, Georgia, pleaded guilty before U.S. District Court Judge Amy Totenberg. Sentencing for Windsor is scheduled for June 3, 2016 at 10:30 a.m.

This case is being investigated by the Federal Bureau of Investigation; the Department of Defense, Defense Criminal Investigative Service; and the Department of Health and Human Services, Office of the Inspector General.

Assistant United States Attorney Nathan P. Kitchens is prosecuting the case. Former Assistant United States Attorney Jamie L. Mickelson prosecuted the case prior to the plea.

For further information please contact the U.S. Attorney's Public Affairs Office at USAGAN.PressEmails@usdoj.gov

Email links icon

or (404) 581-6016. The Internet address for the home page for the U.S. Attorney's Office for the Northern District of Georgia Atlanta Division is <http://www.justice.gov/usao/gan/>.