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Department of Justice

U.S. Attorney's Office

Northern District of Georgia

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Georgia Doctor Sentenced to Prison for Health Care Fraud

ATLANTA – Robert E. Windsor, an Atlanta-area physician, has been sentenced to federal prison for filing over \$1.1 million in false claims for surgical monitoring services that he did not perform.

“Patients rightly expect that their physicians will protect their health and safety,” said U.S. Attorney John A. Horn. “Windsor violated that basic trust and placed numerous surgery patients at risk at a time when they were most vulnerable and in need of care. For over three years, he claimed that he had monitored the neurological health of patients during surgery when he actually had an unqualified medical assistant do the work. Windsor then billed health insurers over \$1 million for the services he never performed.”

“It is incomprehensible the lengths that some people will go to defraud our health care system,” said George Crouch, Assistant Special Agent in Charge, FBI Atlanta. “But even more reprehensible is the willingness of health care providers like Dr. Windsor, to thoughtlessly put patients’ health at risk to profit from the system.”

“In my many years of investigating health care fraud, Dr. Windsor’s utter disregard for patient safety and his extreme greed stand out. His arrogance in billing for fraudulent services performed by an unqualified employee on patients undergoing surgery is truly shocking,” said Derrick L. Jackson, Special Agent in Charge for the HHS Office of Inspector General. “Our agents, working with our law enforcement partners, strive to protect the well-being of patients and the government health programs designed to serve them.”

“This sentencing highlights the commitment of the Defense Criminal Investigative Service (DCIS) and its law enforcement partners to protect the integrity of the Department of Defense (DoD) health care program,” said Special Agent in Charge John F. Khin, Southeast Field Office. “DCIS aggressively investigates health care providers that defraud the DoD, to preserve American taxpayer dollars intended to care for our Warfighters, their family members, and military retirees.”

According to U.S. 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. During 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 monitoring physician observes the surgery online and communicates with the surgeon in the operating room who is performing the surgery.

Windsor was responsible for providing a monitoring report at the conclusion of each surgery, and ANA and its sister company would then bill patients and health insurance companies for the monitoring. Windsor was paid a fee for each surgery monitored.

Between January 2010 through July 2013, Windsor had an unqualified medical assistant monitor surgeries for him, using Windsor's log-in credentials to make it appear as if he was monitoring the surgeries when he was not. The medical assistant was not a doctor and was not permitted to perform the monitoring services. Windsor submitted monitoring reports falsely stating that he had conducted the monitoring, which ANA and its sister company relied on in billing health insurers for his services. On several occasions, Windsor billed ANA for monitoring services he supposedly performed when he was actually on a plane traveling internationally.

In total, after collecting reimbursements from insurers, ANA paid Windsor over \$1.1 million for monitoring services he did not perform. 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, 55, of Cumming, Georgia, was sentenced by U.S. District Court Judge Amy Totenberg to three years, two months in prison and three years of supervised release. He was ordered to serve 200 hours of community service, and to pay \$1,169,580 in restitution to health insurers.

This case was 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 Attorneys Stephen H. McClain and Nathan P. Kitchens prosecuted the case. Former Assistant United States Attorney Jamie L. Mickelson prosecuted the case prior to Windsor's guilty plea.

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

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/>.

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