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THE UNITED STATES ATTORNEY'S OFFICE  
WESTERN DISTRICT *of* TENNESSEE

FOR IMMEDIATE RELEASE

February 4, 2015

## **Ageless Men's Health, LLC To Pay \$1.6 Million To The Government For Overbilling Medicare And Tricare**

Memphis, Tenn. – Ageless Men's Health, LLC (AMH) will pay \$1.6 million to the government to resolve allegations that it billed Medicare and Tricare for medically unnecessary evaluation and management services (office visits) while administering testosterone replacement therapy shots. AMH has approximately 30 locations throughout the United States and operates testosterone replacement therapy clinics.

Under federal law, Medicare and Tricare reimburse medical providers only for procedures that are medically necessary. The United States contends that from 2009 through 2013, AMH billed for a medically unnecessary office visit each time a testosterone shot was administered.

The allegations resolved by today's settlement were first raised in a lawsuit filed against the defendant under the qui tam, or whistleblower, provisions of the False Claims Act. The act allows private citizens with knowledge of fraud to bring civil actions on behalf of the government and to share in any recovery.

In addition to the \$1.6 million payment, AMH entered into a Corporate Integrity Agreement with the Department of Health and Human Services' Office of Inspector General intended to deter wrongful conduct in the future. The agreement requires enhanced accountability and monitoring activities to be conducted by both internal and independent external reviewers.

"This settlement demonstrates our commitment to ensuring that Medicare and Tricare funds are not siphoned off by companies more concerned with bottom line profits than legitimate patient care," stated U.S. Attorney Stanton. "Together with our law enforcement partners, we will continue to make enforcement of the False Claims Act a priority."

The case is captioned United States ex rel. Booth and Scallorn v. Ageless Men's Health, LLC, Case No. 13-CV-02490-SHL (W.D. Tenn.) The claims settled by this agreement are allegations only, and there has been no determination of liability.

This investigation was conducted by the United States Department of Health and Human Services Office of the Inspector General, the Federal Bureau of Investigation and the Department of Defense Criminal Investigative Service. This case was prosecuted for the government by Assistant United States Attorneys Stuart Canale and William Siler.