

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

STEPHANIE WOOD,

Plaintiff,

v.

Civil Action No.

CHIROPRACTIC CENTER, PA d/b/a
WALDOBORO CHIROPRACTIC & SPA,
P.A., d/b/a WALDOBORO CHIROPRACTIC
& MASSAGE

Defendant.

COMPLAINT
JURY TRIAL REQUESTED
INJUNCTIVE RELIEF SOUGHT

JURISDICTION AND PARTIES

1. This action arises under the False Claims Act, 31 U.S.C. §§ 3729, *et seq.*
2. Stephanie Wood (“Ms. Wood”) is a United States citizen residing in the State of Maine, County of Lincoln, Town of Waldoboro.
3. Chiropractic Center, PA d/b/a Waldoboro Chiropractic & Spa, P.A., d/b/a Waldoboro Chiropractic & Massage (“Waldoboro Chiropractic”) was a Maine business corporation that had a place of business in State of Maine, County of Lincoln, Town of Waldoboro.
4. This Court has subject matter jurisdiction over Ms. Wood’s claim pursuant to 28 U.S.C. §§ 1331 and 1367.

JURY TRIAL REQUESTED

5. Ms. Wood requests a trial by jury for all claims and issues for which a jury is permitted.

FACTUAL ALLEGATIONS

6. Waldoboro Chiropractic provided Chiropractic, Physiotherapy, Chiropractic Acupuncture and Massage Therapy services to the public.
7. Dr. Tillou is a Chiropractor and the owner of Waldoboro Chiropractic.
8. Ms. Wood began working for Waldoboro Chiropractic in October 2017.
9. Ms. Wood was the Office Manager and a Chiropractic Assistant.
10. Ms. Wood's final rate of pay was \$21 per hour. She worked 32-34 hours per week prior to the COVID-19 pandemic.
11. Dr. Tillou hired another Chiropractor, Matt Thomas, in January 2020.
12. Ms. Wood began to have concerns about billing issues after Dr. Thomas was hired.
13. Defendant submitted bills to Medicare as well as to private insurance companies.
14. Ms. Wood's concerns included but are not limited to the following:
 - a. Dr. Tillou told Ms. Wood and Dr. Thomas that he was not charging enough. Dr. Tillou told Dr. Thomas to include certain billing codes with every visit, e.g., ultrasound of back. Dr. Thomas objected, and told Dr. Tillou that he would not charge for a service or procedure he did not provide. Dr. Tillou told Ms. Wood and Dr. Thomas, "I don't care, bill for it anyway."
 - b. When Dr. Thomas did not include the automatic billing codes on his bills, Dr. Tillou would go back in and add the code before the bill was submitted.
 - c. Dr. Tillou billed for services allegedly provided by Dr. Thomas in December 2019, before he even started in January 2020.

- d. Dr. Tillou would add comments to patients' records who were being treated for workers' comp injuries to justify providing continued services that were not needed. For example, Dr. Thomas would write that the patient was feeling better. Dr. Tillou would change his note to indicate that the patient was not feeling better and required additional treatment.
- e. In February 2020, Ms. Wood talked to a claims adjuster about Dr. Tillou's practice of changing notes on patients' records because the adjuster questioned why the original notes (which the adjuster had seen) were subsequently changed.
- f. Dr. Tillou would omit or take out references to patients' use of opioid medications in notes provided to workers' compensation insurance carriers.
- g. Dr. Tillou would bill for services to the employer's workers' compensation insurance carrier and to the patient's private insurance, i.e., double bill.
- h. At one point, Dr. Tillou was suspended from submitting bills to Medicare, so she changed the dates on some bills to incorrectly reflect that service was provided during a period of time before she was suspended, and submitted the bills for payment.

15. On April 2, 2020, Ms. Wood asked for and was granted permission to take time off to avoid exposure to COVID-19.

16. Ms. Wood is at high risk because of the immune suppressant medication she takes for rheumatoid arthritis and her rheumatologist advised her to stay at home if possible.

17. Dr. Tillou gave Ms. Wood permission to take some time off. Dr. Tillou told Ms. Wood to file for unemployment and write “lack of work” and “COVID-19” as the reason for leaving.

18. The plan was for Ms. Wood to come back to work and continue managing the office. Dr. Tillou planned to retire in the fall. Dr. Thomas was going to take over the practice and Ms. Wood was going to continue working there as the office manager.

19. At that time, Dr. Tillou did not ask Ms. Wood if account billing was up to date.

20. Dr. Tillou did not express any concerns about Ms. Wood’s job performance.

21. When Ms. Wood was hired, there were four employees handling administrative tasks that, over time, were performed by only one person.

22. Ms. Wood told Dr. Tillou several times that she was one person doing the job of four people and that she was doing her best.

23. While Ms. Wood was laid off in April 2020, the chiropractic office did not close.

24. Dr. Tillou and another Chiropractic Assistant kept working.

25. The business stopped providing massages until June 2020, when three massage therapists returned to work.

26. While Ms. Wood was laid off due to COVID-19, Dr. Tillou brought someone in to help in the office. The new office assistant handled the billing, reception, and scheduling.

27. On May 4, 2020, Dr. Tillou reached out to Ms. Wood via text suggesting a schedule upon her return. She wrote, in part:

“So I’m thinking your return to work schedule will be Tuesday and Thursday 9-2. You will continue on unemployment and just have to indicate the earnings on your weekly filing. You will be the only one in the building....”

28. Ms. Wood returned to work on about May 15, 2020.

29. The new office assistant worked five days per week but her schedule did not overlap with Ms. Wood's schedule.

30. Work on accounts receivable and accounts payable had fallen behind during Ms. Wood's absence. There were problems that arose while she was absent.

31. Ms. Wood worked hard to bring the accounts current and fix problems.

32. Dr. Tillou did not raise any concerns about Ms. Wood's job performance.

33. The plan moved forward to have Dr. Thomas take over the practice/business when Dr. Tillou retired in the fall.

34. Ms. Wood had a good faith belief that Dr. Tillou was submitting false claims to Medicare.

35. Ms. Wood discussed the false claims with Dr. Thomas.

36. Ms. Wood provided information to Dr. Thomas about the suspicious bills and he reported their concerns to the Maine Department of Professional and Financial Regulation, Office of Professional & Occupational Regulation, Complaint Division, on about June 2, 2020.

37. Upon information and belief, Dr. Thomas quit his job with Defendant upon advice of counsel because of the false claims.

38. On about June 14, 2020, Ms. Wood received a text from Dr. Tillou stating she (Dr. Tillou) received information that she (Ms. Wood) filed a complaint against her with the State.

39. Dr. Tillou ended her initial message by saying, "Sorry it had to end this way." They exchanged the following messages:

Dr. Tillou:	So today I got a complaint to the licensing board from you and Matt [Thomas] accusing me of stuff that I did not do. I have never billed for a service that I did not do. I have never billed an appointment that did not happen. As far as I know we did not bill under Matt's license due to CACQ? Problems. I have always wanted accuracy in patient accounts. I never changed any of his notes. Medicare does get billed
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