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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

GOVERNMENT EMPLOYEES INSURANCE CO., GEICO
INDEMNITY CO., GEICO GENERAL INSURANCE COMPANY,
and GEICO CASUALTY CO.,

Plaintiffs,

–against–

EAST COAST SPINE, JOINT AND SPORTS MEDICINE
PROFESSIONAL ASSOCIATION d/b/a THE SPINE AND
SPORTS HEALTH CENTER, ALEXANDER VISCO, M.D.,
MICHAEL KELLY, D.C., RON BEN-MEIR, D.O., FERDINAND
IANNACCONE, D.O., BASIL KURDALI, M.D., NEIL
TROPANO, D.C., PRISCILLA AMPONSAH, P.T., JOHN DE
HOYOS, P.T., TORAL DOSHI, P.T., NIDHI MADHANI, P.T.,
ADITI MEHTA, P.T., and JUAN C. NUNEZ, P.T.,

Defendants.

Case No.:

COMPLAINT

Plaintiffs Demand
a Trial by Jury

Plaintiffs Government Employees Insurance Co., GEICO Indemnity Co., GEICO General Insurance Company and GEICO Casualty Co. (collectively “GEICO” or “Plaintiffs”), as and for their Complaint against the Defendants, hereby allege as follows:

INTRODUCTION

1. This action seeks to recover more than \$1,900,000.00 that the Defendants wrongfully have obtained from GEICO by submitting, and causing to be submitted, thousands of fraudulent no-fault insurance charges through East Coast Spine, Joint and Sports Medicine Professional Association d/b/a The Spine and Sports Health Center (“East Coast Spine”) for purported initial examinations, follow-up examinations, pain management injections, electrodiagnostic testing services, and chiropractic services/physical therapy services (the purported initial examinations, follow-up examinations, pain management injections, electrodiagnostic testing services, and chiropractic/physical therapy services are referred to hereinafter as the “Fraudulent Services”).

2. The Fraudulent Services purportedly were provided, to the extent that they were provided at all, to individuals (“Insureds”) who claimed to have been involved in automobile accidents and were eligible for insurance coverage under GEICO no-fault insurance policies.

3. In addition, GEICO seeks a declaration that, between at least 2013 and the present, East Coast Spine and its owners, Defendants Michael Kelly, D.C. (“Kelly”) and Alexander Visco, M.D. (“Visco”), were not in compliance with the relevant laws and regulations governing healthcare practice in New Jersey, because they had an unlawful corporate structure, engaged in an unlawful self-referral scheme, billed for medically unnecessary Fraudulent Services, and misrepresented and exaggerated the level of services that purportedly were provided in order to inflate the charges submitted to GEICO.

4. The Defendants fall into the following categories:

- (i) Defendant East Coast Spine is a New Jersey medical professional association through which many of the Fraudulent Services purportedly were provided and billed to insurance companies, including GEICO.
- (ii) Defendant Kelly is a chiropractor licensed to practice chiropractic in New Jersey, was the controlling member of East Coast Spine, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.
- (iii) Defendant Visco is a physician licensed to practice medicine in New Jersey, purported to be a member of East Coast Spine, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.
- (iv) Defendants Ron Ben-Meir, D.O. (“Ben-Meir”), Ferdinand Iannaccone, D.O. (“Iannaccone”), and Basil Kurdali, M.D. (“Kurdali”) are physicians licensed to practice medicine in New Jersey, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.
- (v) Defendant Neil Tropiano, D.C. (“Tropiano”) is a chiropractor licensed to practice chiropractic in New Jersey, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.
- (vi) Defendants Priscilla Amponsah, P.T. (“Amponsah”), John De Hoyos, P.T. (“De Hoyos”), Toral Doshi, P.T. (“Doshi”), Nidhi Madhani, P.T. (“Madhani”), Aditi Mehta, P.T. (“Mehta”), and Juan C. Nunez, P.T. (“Nunez”) are physical therapists licensed to practice physical therapy in New Jersey, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.

5. As discussed below, the Defendants at all relevant times have known that:

- (i) the Defendants were not in compliance with significant laws and regulations governing healthcare practice in New Jersey and as a result, were not eligible to receive no-fault insurance reimbursement in the first instance;
- (ii) the Fraudulent Services were not provided in compliance with significant laws and regulations governing healthcare practice in New Jersey and, as a result, were not eligible for no-fault insurance reimbursement in the first instance;
- (iii) the Fraudulent Services were not medically necessary, and were provided – to the extent that they were provided at all – pursuant to pre-determined fraudulent protocols designed solely to financially enrich the Defendants, rather than to treat or otherwise benefit the Insureds who were subjected to them;
- (iv) in many cases, the Fraudulent Services were never provided in the first instance; and

- (v) the billing codes used for the Fraudulent Services misrepresented and exaggerated the level of services that purportedly were provided in order to inflate the charges submitted to GEICO.

6. As such, Defendants East Coast Spine, Kelly, Visco, Ben-Meir, Iannaccone, Kurdali, Tropiano, Amponsah, De Hoyos, Doshi, Madhani, Mehta, and Nunez do not now have – and never had – any right to be compensated for the Fraudulent Services that were billed to GEICO through East Coast Spine.

7. The chart annexed hereto as Exhibit “1” sets forth a representative sample of the fraudulent claims that have been identified to date that the Defendants submitted, or caused to be submitted, to GEICO.

8. The Defendants’ fraudulent scheme began as early as 2013 and has continued uninterrupted since that time. As a result of the Defendants’ scheme, GEICO has incurred damages of more than \$1,900,000.00.

THE PARTIES

I. Plaintiffs

9. Plaintiffs Government Employees Insurance Co., GEICO Indemnity Co., GEICO General Insurance Company, and GEICO Casualty Co. are Maryland corporations with their principal places of business in Chevy Chase, Maryland. GEICO is authorized to conduct business and to issue automobile insurance policies in New Jersey.

II. Defendants

10. Defendant East Coast Spine is a New Jersey medical professional association with its principal place of business in New Jersey. East Coast Spine was incorporated on or about October 9, 2007, and since late 2011, has been doing business as “The Spine and Sports Health Center”. What is more, since 2015, East Coast Spine has also been doing business as “The

Orthopedic Health Center”. East Coast Spine has Kelly and Visco as its sole members, and was used by the Defendants as a vehicle to submit fraudulent billing to GEICO.

11. Defendant Kelly resides in and is a citizen of New Jersey. Kelly was licensed to practice chiropractic in New Jersey in 1999, was the controlling member of East Coast Spine, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.

12. Defendant Visco resides in and is a citizen of New Jersey. Visco was licensed to practice medicine in New Jersey in 2004, purported to be a member of East Coast Spine, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.

13. Defendant Ben-Meir resides in and is a citizen of New Jersey. Ben-Meir was licensed to practice medicine in New Jersey in 2012, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.

14. Defendant Iannaccone resides in and is a citizen of New Jersey. Iannaccone was licensed to practice medicine in New Jersey in 2017, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.

15. Defendant Kurdali resides in and is a citizen of New Jersey. Kurdali was licensed to practice medicine in New Jersey in 2011, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.

16. Defendant Tropiano resides in and is a citizen of New Jersey. Tropiano was licensed to practice chiropractic in New Jersey in 2013, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.

17. Defendant Amponsah resides in and is a citizen of New Jersey. Amponsah was licensed to practice physical therapy in New Jersey in 2012, and purported to perform many of the Fraudulent Services on behalf of East Coast Spine.

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