



CYRUS R. VANCE, JR.
DISTRICT ATTORNEY

DISTRICT ATTORNEY – NEW YORK COUNTY

FOR IMMEDIATE RELEASE
November 4, 2010

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**DISTRICT ATTORNEY VANCE ANNOUNCES INDICTMENT IN
\$1.8 MILLION MEDICAID FRAUD SCAM**

Defendant Billed Medical Assistance Program for Prescription Drugs That Were Never Dispensed

Manhattan District Attorney Cyrus R. Vance, Jr., today announced the indictment of PATRICK ALCINDOR, 41, a Manhattan pharmacist who stole more than \$1.8 million from Medicaid over the course of nearly one year. The defendant is charged with one count of Grand Larceny in the First Degree, three counts of Grand Larceny in the Third Degree, one count of Grand Larceny in the Fourth Degree, as well as seven counts of Criminal Diversion of Prescriptions in the Fourth Degree.¹

“The defendant tried to game the system by fraudulently billing Medicaid for claims for prescription drugs that he never dispensed, and then helping himself to the payments,” said District Attorney Vance. “Medicaid is intended for the neediest New Yorkers who cannot afford to pay for medical care, not for thieves.”

According to documents filed in court, Procure Pharmacy, located at 1728 Amsterdam Ave. in Washington Heights, over-billed Medicaid for more than \$1.8 million between April 2009, and March 2010. ALCINDOR was the supervising pharmacist at Procure Pharmacy, and acted as a signatory on Procure Pharmacy’s bank account. The scam he engaged in entailed procuring prescriptions from Medicaid clients in exchange for cash, and then billing Medicaid as if the prescriptions had been filled and the medications dispensed to the clients. In fact, the pharmacy never had the medications in stock.

On a number of occasions, an undercover police officer went to Procure Pharmacy with written prescriptions and Medicaid cards provided by the Human Resources Administration (HRA), according to documents filed in court. The undercover gave ALCINDOR the written prescriptions for medications such as Reyataz, Truvada, Prezista, Procrit, and Zyprexa, along with the Medicaid cards. In exchange, the defendant would give the undercover money instead of medications. According to HRA, the Medicaid account, which the undercover used for the sting, was billed as if the medication had been dispensed to the undercover. Additionally, Procure Pharmacy also billed Medicaid for refills of the medication that were never dispensed.

Deputy Medicaid Inspector General for Investigations Michael Little said: “Today’s announcement of the indictment of licensed pharmacist PATRICK ALCINDOR on charges relating to defrauding the Medicaid program by exchanging cash for valid prescriptions and then billing Medicaid for allegedly dispensing these prescriptions demonstrates that state and local officials are diligently searching for sources of Medicaid fraud. Such collaboration is vital to give pause to those Medicaid providers who would defraud the taxpayers of the State of New York. Let us hope that the indictment and arrest of PATRICK ALCINDOR sends a message to those members of the provider community that they stand to lose their businesses and their assets as well as risk spending significant time in jail for abusing the Medicaid program.”

New York City Human Resources Administration (HRA) Commissioner Robert Doar said: “HRA is committed to investigating and combating fraud and abuse in the Medicaid program so we can maintain the integrity of this critical program and continue to provide public health insurance to those who are truly eligible.”

District Attorney Vance thanked Assistant District Attorney Sean Pippen, who is handling the prosecution under the supervision of Assistant District Attorney Marcy Chelmow, Chief of the Public Assistance Fraud Unit.

District Attorney Vance also thanked New York City Police Commissioner Raymond W. Kelly and Inspector Kenneth Cully, Commanding Officer of the NYPD’s Manhattan North Narcotics Bureau. He also thanked New York City Human Resources Administration Commissioner Robert Doar, and the investigators at the HRA Bureau of Fraud Investigation in the Prescription Drug Fraud Unit. He also thanked Inspector General James G. Sheehan of the NYS Office of the Medicaid Inspector (OMIG); Ethan Saffer and Ian Weitz, Division of Medicaid Investigations Pharmacists, OMIG; and investigators Steve Birnstill, Ken Bender, and Mike Crosby Division of Medicaid Investigations Investigators, OMIG.

Defendant information:

PATRICK ALCINDOR, D.O.B. 3/19/68
Brooklyn, NY

Charges:

- Grand Larceny in the First Degree, 1 count, class B felony
- Grand Larceny in the Third Degree, 3 counts, class D felony
- Grand Larceny in the Fourth Degree, 1 count, class E felony
- Criminal Diversion of Prescriptions in the Fourth Degree, 7 counts, class A misdemeanor

A class B felony is punishable by up to 25 years in prison, a class D felony is punishable by up to 7 years in prison, a class E felony is punishable by up to 4 years in prison, and a class A misdemeanor is punishable by up to 1 year in jail.

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