

benefits. Dr. Kosman also stated, “in order for a person to get disability benefits you have to overstate the medical condition.”

Dr. Kosman’s Grand Jury Indictment

On June 21, 2016, a federal grand jury in the Northern District of Illinois indicted Dr. Kosman on one count of violating Title 42, U.S.C. 408 (a)(3), for having knowingly made or caused to be made a false statement and representation of material fact for use in determining the right to a federal benefit (Exhibit 1). The indictment was based largely on Dr. Kosman’s activities, between September 2011 and June 2012, with a Cooperating Witness (CW) regarding an application for disability benefits. The indictment states that on or about July 31, 2012, the Illinois Department of Human Services received documentation from Dr. Kosman in connection with the CW’s (Claimant A) application for federal disability benefits, listing reported patient complaints, symptoms, and functional abilities of the CW, when Dr. Kosman knew that the CW did not report these complaints, symptoms, and functional abilities.

During the CW’s visits with Dr. Kosman, which routinely lasted approximately 10 minutes, they discussed the progress of the CW’s disability application, other doctors the CW should see, payment for Dr. Kosman’s services, and the medications Dr. Kosman prescribed. What transpired during these visits vary greatly from what Dr. Kosman wrote in the CW’s Psychiatric Report, DDS Form DF-104, which was submitted to the SSA in connection with the CW’s disability application (Exhibit 2). In the CW’s Psychiatric Report, Dr. Kosman diagnosed the CW with “Major Depression,” as well as other ailments, including arthritis. In addition, in the Remarks section, Dr. Kosman wrote, “Pt can’t work at present time due to severe depression, anxiety, worries, inability to tolerate stresses, poor concentration, inability to follow instructions, fatigue & medical conditions.” The Psychiatric Report does not accurately reflect the symptoms and conditions the CW presented to Dr. Kosman during their visits.

SSA San Francisco Fraud Prevention Unit Analysis

Based upon Dr. Kosman’s admissions and the indictment, the SSA OIG requested the Illinois Department of Disability Services (DDS) to identify the Social Security disability files that contain medical evidence from Dr. Kosman. The DDS identified 438 SSA claim files that contain medical evidence from Dr. Kosman.

In June 2017, the SSA OIG requested the assistance of the SSA San Francisco Fraud Prevention Unit (FPU) to review the 438 SSA claim files identified by the DDS that contain medical evidence from Dr. Kosman¹ and compare the medical evidence in those claims to the CW’s Psychiatric Report, DDS Form DF-104, as a sample of Dr. Kosman’s template medical evidence.

¹ After removing the duplicate numbers, there were 397 claims remaining. The FPU reviewed 377 electronic claims records and 7 paper claims, bringing the total number of claims reviewed to 384.

In August 2017, the FPU provided an analysis reporting that 354 of the total claims reviewed contained language that matched Dr. Kosman's template medical evidence² (Exhibit 3).

Conclusion

The SSA OIG has reason to believe that fraud was involved in the applications for Social Security disability benefits for the attached 354 claimants, whose files contain template medical evidence from Dr. Kosman (Exhibit 4). In July 2017, the U.S. Attorney's Office, Northern District of Illinois, stated that SSA's administrative redeterminations of the 354 claimants whose files contain template medical evidence from Dr. Kosman would not jeopardize the ongoing criminal prosecution of Dr. Kosman.

If you have any questions or need additional information, please contact me at [REDACTED] or have your staff contact Ranju R. Shrestha at [REDACTED].

Attachments:

Exhibit 1:



CHI1200023H.Kosman
.Indictment 062116.pc

Exhibit 2:



CW Medical File
_Redacted.pdf

Exhibit 3:



CHI1200023H.FPU
Final Report of Analysis

Exhibit 4:



Kosman Analysis
Spreadsheet.xlsx

² According to the FPU Final Report of Analysis, Dr. Kosman's medical evidence was "material" in the approval of 310 of those claims. Because the SSA has their specific standards and policies for administrative redeterminations, SSA OIG is sending the SSA all 354 claims reviewed that contain template medical evidence from Dr. Kosman to allow the SSA to make the determination of materiality.