

Office of the Inspector General  
Office of Investigations  
Social Security Administration

**REPORT OF INVESTIGATION**

**TITLE OF CASE:** Americo Oms-Rivera

**CASE NUMBER:** [REDACTED]

**PROGRAM CATEGORY:** 640 - TITLE II - DISABIL

**PERIOD COVERED:** 11/09/2018 **TO:** 11/09/2018

**RELATED CASE NUMBERS:**

**REPORTED BY:** [REDACTED]

**FIELD DIVISION:** NEW YORK

**OFFICE:** SAN JUAN

**STATUS OF CASE:** STATUS REPORT

**SYNOPSIS:**

This report of investigation memorializes the eighth debriefing interview conducted on Mayte Gonzalez-Muñoz, regarding the review of the medical records on 49 SSA beneficiaries, who were also patients of Doctor Americo Oms-Rivera and had Samuel Perez as their Non-Attorney Representative.

**ALLEGATION OR REFERENCE TO MOST RECENT REPORT:**

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[REDACTED]

**INVESTIGATIVE ACTIVITY:**

On November 9, 2018, [REDACTED] conducted a debriefing interview on Mayte Gonzalez-Muñoz (GONZALEZ), [REDACTED] former secretary of Dr. Americo Oms-Rivera (OMS), at the conference room of the SSA/OIG/OI San Juan office, located at San Juan, Puerto Rico (PR). [REDACTED]

[REDACTED] GONZALEZ stated, in substance and in part, that she was willing to be interviewed and that her responses were provided in a voluntary and truthful manner.

In addition, GONZALEZ reviewed the medical files of 49 OMS' patients, who also shared SSA Attorney representative, Samuel Perez (Perez), from Guayama, PR as the claimant's representative regarding their SSA disability benefits application. [REDACTED]

[REDACTED] Regarding the review of the medical files, GONZALEZ' below listed comments are the following, in substance and in part.

- 1) [REDACTED], patient file [REDACTED] consisting of 35 scanned pages.

This record was backdated. Psychiatric Medical Report (PMR) prepared by Perez and signed by OMS showed that the first time this claimant visited OMS was on August 5, 2008, but in fact this claimant started treatment with OMS on September 29, 2009 as shown on the patient's information sheet (PIS) included in the medical file. GONZALEZ stated that in order to backdate a record, OMS first discussed it with the patient, and it would only be backdated if the patient was willing to pay for the backdating of the record. Sometimes OMS would accept a "payment plan" for the amount changed on the backdating of a record.

- 2) [REDACTED], patient file [REDACTED] consisting of 96 scanned pages.

This record was backdated one month. The PMR prepared by Perez and signed by OMS showed that this patient started his treatment with OMS on May 5, 2009, but in fact this claimant started treatment with OMS on June 16, 2009 as shown in the PIS.

[REDACTED]

[REDACTED]

[REDACTED]

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- 4) [REDACTED], patient file [REDACTED] consisting of 113 scanned pages.

This record was backdated, the PIS showed that this patient visited OMS for the first time on February 16, 2010, but the PMR prepared by Perez and signed by OMS stated that the first visit to OMS was on December 8, 2009. In addition, this file has a letter dated February 16, 2010, where Perez is referring this claimant to OMS. This claimant would visit OMS office alone.

- 5) [REDACTED], patient file [REDACTED] consisting of 91 scanned pages.

This record was backdated, the record included a note where disclosed that a total of \$1,140 was charged to this claimant for adding a total of 19 visits to OMS that never took place (four in 2012, six in 2013, six in 2014, and three in 2015). GONZALEZ identified backdated dates listed at the PMR and stated that she was able to identify them as backdated because the practice was to highlight the backdated dates in yellow. GONZALEZ explained that the reason backdated dates and additional dates that never took place were used was to represent to the SSA a longer period of treatment in order to make the case stronger to have a favorable decision regarding the disability claim filed before SSA.

- 6) [REDACTED], patient file [REDACTED] consisting of 62 scanned pages.

This record was backdated. The Psychiatric Evaluation Sheet (PES) was not completed, the PIS had a date of June 25, 2014, and the PMR submitted to the SSA, which was completed by Perez and signed by OMS stated that the first time OMS saw this patient was on June 10, 2008.

- 7) [REDACTED], patient file [REDACTED] consisting of 38 scanned pages.

This record was backdated. The PMR had the date of June 2, 2009, as the first time OMS saw this patient, but the PIS had March 2, 2010, as the first time this claimant visited OMS medical office. In addition, the PES include in this patient's medical file was dated March 2, 2010.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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10) [REDACTED], patient file [REDACTED] consisting of 140 scanned pages.

This record was backdated. This patient would visit OMS either alone or accompanied [REDACTED]. The PMR had several dates highlighted in yellow, meaning that those dates were added and that she did not visit OMS on those dates. The PMR was prepared by Perez and signed by OMS, in this case Perez used dates that would fall on a Thursday as some of the dates to be added, but GONZALEZ stated that OMS did not work on Thursdays. The PIS was not dated, but the Information Consent Form, which is completed on the same date as the PIS was dated June 15, 2014, the PMR had June 6, 2003, as the first time OMS saw this patient.

[REDACTED]

[REDACTED]

12) [REDACTED], patient file [REDACTED] consisting of 82 scanned pages.

This record was backdated. The PMR and the PES had June 19, 2012, as the first date that this claimant visited OMS medical office, but the PIS demonstrated that this claimant visited OMS office for the first time on February 12, 2013. Furthermore, this record contained some notes with instructions regarding dates to be added to the PMR in order to represent to the SSA that this claimant had medical appointments with OMS when in fact she did not visit him. The PMR submitted to the SSA was prepared by Perez and signed by OMS.

13) [REDACTED], patient file [REDACTED] consisting of 60 scanned pages.

This claimant suffered from several conditions, including Asthma. She would cancel appointments with OMS due to her medical conditions and had to be hospitalized due to her asthma. Sometimes she had to be accompanied [REDACTED] during the medical appointments with OMS.

14) [REDACTED], patient file [REDACTED] consisting of 130 scanned pages.

GONZALEZ stated that this record was not backdated, but she identified at the PMR medical appointment dates that were added, meaning that this patient did not visit OMS during those dates. GONZALEZ stated that she knew those were "added" dates because they were circled and the rest of the dates present at the PMR were not. The PMR submitted to the SSA was prepared by Perez and signed by OMS.

[REDACTED]

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[REDACTED]

16) [REDACTED], patient file [REDACTED] consisting of 86 scanned pages.

This case was backdated. The record contained a note stating that this claimant owed \$60.00, the amount for one backdated date. The PIS was dated April 15, 2008, as the first date this claimant visited OMS office, but the PMR submitted to the SSA, prepared by Perez and signed by OMS was dated January 8, 2008, as the first date OMS saw this patient.

17) [REDACTED], patient file [REDACTED] consisting of 97 scanned pages.

This record was backdated. The PIS and the PES on this record were dated February 2, 2010, as the first time this claimant visited OMS. The dates on the PIS and the PES contradicted the date on the PMR submitted to the SSA, where the PMR stated that the first time OMS saw this patient was on August 18, 2009. This PMR was prepared by Perez and signed by OMS.

[REDACTED]

[REDACTED]

[REDACTED]

20) [REDACTED], patient file [REDACTED] consisting of 39 scanned pages.

This record was backdated. The medical folder contained four (4) appointment cards with dates in order to Perez to add them to the PMR that was going to be submitted to the SSA. There is a note that stated this claimant owed OMS \$1,100.00 for backdated dates and additional dates to be added to her record. The PES and the PIS showed that the first time OMS saw this patient was on January 8, 2013, but a Psychiatric Certification sent by OMS to the SSA instead of the PMR stated that he started providing medical treatment to this claimant on August 23, 2011.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

24) [REDACTED], patient file [REDACTED] consisting of 61 scanned pages.

This record was backdated. The PMR had the date of September 8, 2009, as the first time OMS provided medical treatment to this patient. The PIS had the date of March 2, 2010, as the first time that this patient made contact with OMS. This patient alleged to be schizophrenic, and some times would go to the visits alone and sometimes would go with a friend.

25) [REDACTED], patient file [REDACTED] consisting of 54 scanned pages.

This record was backdated. The medical file contained two (2) appointment cards with dates to be added to the PMR. The PIS February 9, 2010, as the first time this patient contacted OMS, but the PMR had the date of May 12, 2009, as the date OMS started medical treatment for this patient. The PMR submitted to the SSA in relation this claim was prepared by Perez and signed by OMS. After the SSA approved her disability claim she did not visit OMS medical office.

26) [REDACTED], patient file [REDACTED] consisting of 116 scanned pages.

This record was backdated. [REDACTED]  
[REDACTED] The PIS was dated April 1, 2008, as the first time this patient visited OMS' office. The PMR was dated as June 15, 2007, as the dated OMS provided medical treatment to this patient for the first time.

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27) [REDACTED], patient file [REDACTED] consisting of 109 scanned pages.

This record was backdated. The medical file included two (2) appointment cards with dates to be added to the PMR fraudulently by Perez. This record was one of the many medical files that were "fixed" [REDACTED] in order to destroy all possible evidence that would show any backdating of the medical file. The PIS was not dated, but the PMR had the date of May 24, 2011, as the first time this patient received medical treatment from OMS.

[REDACTED]

[REDACTED]

29) [REDACTED], patient file [REDACTED] consisting of 113 scanned pages.

This record was backdated. This medical record contained a PMR with the date of August 31, 2009, as the first time OMS provided medical treatment, and a second PMR with the date of August 19, 2014. The PES filed on this record had the date of August 31, 2009, as the admission date to receive medical treatment. The PIS on this file was dated September 7, 2010, as the first time this patient contacted OMS. The medical file also contained a sheet of paper with dates to be added to the PMR.

30) [REDACTED], patient file [REDACTED] consisting of 110 scanned pages.

This record was backdated. This patient went to OMS' office most of the time to pick up prescription, not to see OMS. The PIS was dated June 2, 2009, as the first time this patient visited OMS office. The PES was dated June 9, 2009, as the dated this patient was admitted by OMS to receive medical treatment. The PMR prepared by Perez and signed by OMS was dated January 13, 2009, as the first time OMS saw this patient. This patient would visit OMS' office alone.

31) [REDACTED], patient file [REDACTED] consisting of 70 scanned pages.

This record was backdated and fixed. The PIS and the PMR on this record was dated as November 18, 2008. On the other hand, the PES on this record was dated April 14, 2009, as the date this claimant contacted OMS for the first time. This claimant would visit OMS' office alone mostly to pick up prescriptions.

32) [REDACTED], patient file [REDACTED] consisting of 50 scanned pages.

This record was backdated. A specific starting date could not be determine because this record was

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fixed [REDACTED]. The PIS, PES, and PMR were dated February 1, 2011.

33) [REDACTED], patient file [REDACTED] consisting of 144 scanned pages.

This record was backdated. The PIS was dated as October 20, 2009. The PES was originally dated January 26, 2010, but right next to that date it was written October 20, 2009. This claimant visited OMS' office mostly to pick up prescriptions and not to see OMS. He would visit OMS' office alone.

34) [REDACTED], patient file [REDACTED] consisting of 91 scanned pages.

This record was backdated. A specific initial date could not be determined because this record was fixed. The PIS, PES, and PMR were dated September 4, 2007. Furthermore, the medical file contained a referral letter where Perez referred this claimant to OMS, and the referral letter was dated May 12, 2009.

35) [REDACTED], patient file [REDACTED] consisting of 113 scanned pages.

This record was backdated. The PIS, and the PMR were dated December 12, 2006, as the date that this claimant started receiving medical treatment with OMS. The medical record revealed through a Progress Note that the initial evaluation for this patient was conducted on August 14, 2007. This person would use OMS most of the time to only get medical prescriptions, and there was a time where his wife would go to OMS medical office to pick up the prescriptions, and the patient did not see OMS.

36) [REDACTED], patient file [REDACTED] consisting of 77 scanned pages.

This record was fixed [REDACTED] therefore, a specific initial date cannot be provided. This record contained several notes with dates to be added to the PMR. The PIS, PES, and PMR had the initial date of treatment as May 28, 2013.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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39) [REDACTED], patient file [REDACTED] consisting of 90 scanned pages.

This record was backdated. The PIS was dated December 9, 2008, as the first date he visited OMS' office. The record contained appointment cards with dates to be added to the PMR. The PES was originally dated February 23, 2010, as the date OMS admitted this patient for medical treatment, but the date of December 9, 2008 was added next to the original date. The PMR completed by Perez and signed by OMS had the date of December 9, 2008, as the date OMS first saw this patient.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

44) [REDACTED], patient file [REDACTED] consisting of 52 scanned pages.

This record was backdated. The PIS was dated February 1, 2011, as the first time this patient visited OMS. The PES was originally dated February 1, 2011, as the date he first contacted OMS, but the date was changed to October 5, 2010. The PMR was dated October 5, 2010, as the date OMS started providing medical treatment to this claimant.

45) [REDACTED], patient file [REDACTED] consisting of 98 scanned pages.

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This record was backdated. The PIS was dated July 8, 2008. The PES had an admission date of October 1, 2012. Furthermore, at the last page of the PES it showed that the form was completed and signed by OMS on January 12, 2010, then the date of July 8, 2008 was written under the date of January 12, 2010. There was a PMR in the medical file which was dated July 8, 2008, as the dated OMS first saw this patient.

46) [REDACTED], patient file [REDACTED] consisting of 77 scanned pages.

[REDACTED] there was no backdating or added dates to this record.

47) [REDACTED], patient file [REDACTED] consisting of 56 scanned pages.

This record was backdated. [REDACTED] The PIS was originally dated March 26, 2013, as the date this claimant first contacted OMS, but the date of May 27, 2012 was written underneath. The record contained three (3) appointment cards with dates to be added. The PES was originally dated March 26, 2013, as the date OMS admitted this claimant for medical treatment, but the date of May 27, 2012, was written besides the original date. Furthermore, the PES was dated and signed by OMS on the last page as it was completed on March 26, 2013. The medical file contained two (2) different Psychiatric Certifications completed and signed by OMS. In the first certification OMS stated that this patient started her medical treatment with him on March 27, 2012, but on the second certification OMS stated that she started her medical treatment with him on May 27, 2012. I queried the SSA database eView. The query revealed that a PMR created by Perez and signed by OMS was submitted to the SSA in connection to this claimant's disability application. The PMR had the date of May 27, 2012, as the date OMS first saw this claimant.

[REDACTED]

[REDACTED]

[REDACTED]

49) [REDACTED], patient file [REDACTED] consisting of 74 scanned pages.

This patient visited OMS' office most of the time for medical prescriptions. He would usually walk using a cane [REDACTED] The PIS and the PES were dated July 20, 2010, as the date he first contacted OMS. The PMR completed by Perez and signed by OMS had the date of December 9, 2008, as the date OMS started providing medical service to this patient.

**SUBJECT(S) AND/OR DEFENDANT(S):**

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[REDACTED]

**JUDICIAL ACTION:**

N/A

**DISPOSITION OF EVIDENCE, GRAND JURY MATERIAL, AND/OR PERSONAL PROPERTY:**

N/A

**MONETARY ACHIEVEMENT:**

N/A

**SUBMITTED BY:** [REDACTED] 11/19/2018

**APPROVED BY:** [REDACTED] 12/28/2018

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