



2023 NHCAA

# Awards Program

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NHCAA



## United States of America v. Anita Louise Jackson

**A**mong this year's nominations was a fascinating case from North Carolina that incorporated the use of NHCAA's SIRIS® database. The National Health Care Anti-Fraud Association is happy to recognize the investigation and prosecution teams in the **United States of America v. Anita Louise Jackson** with this year's **SIRIS® Investigation of the Year Award, Honorable Mention**.

Anita Jackson was an ENT doctor who operated Greater Carolina Ear, Nose, and Throat (GCENT), with three offices across Eastern North Carolina. Jackson was the top-biller in the nation for balloon sinuplasty, an in-office procedure to treat chronic sinusitis. Her practice marketed balloon sinuplasty as a "sinus spa," and encouraged patients to come to the office for a "free" sinus spa.

Between 2011 and 2017, Jackson performed 1,555 balloon sinuplasty surgeries on 919 Medicare beneficiary patients, using the FDA-approved Entellus XprESS device. However, rather than use the device just once on one patient, per FDA guidelines, Jackson reused the devices on multiple patients without informing them.

The investigation found that between 2012 and 2017, Jackson acquired, at most, 36 new Entellus devices. During trial, Jackson admitted that she had adequate funds to purchase a new device for each patient but chose not to, putting patients at risk. To justify billing for the unnecessary surgeries to Medicare auditors, medical records were falsified, and patient signatures were forged.

Between 2014 and 2018, she billed Medicare more than \$46 million for the procedure, netting in excess of \$4.79 million. This billing amount does not include sinuplasty surgeries performed on patients with private health care insurance. Federal investigators enlisted the use of SIRIS® to help identify private insurer victims. It was revealed that Jackson had billed multiple private insurance companies for the procedure as well.

Beneficiary interviews were crucial to the development of this case. In January 2023, Jackson was found guilty by a federal jury on 20 criminal counts, including device adulteration, fraud, conspiracy, and identity theft. She was subsequently sentenced in June 2023 to 25 years in prison. The total restitution ordered was \$5.7 million, split amongst Medicare, N.C. Medicaid, TRICARE, private insurances, and patient victims. Additionally, there was a forfeiture order of \$4.8 million and a special assessment of \$2,000. The total money judgement was \$10.5 million.

## CONGRATULATIONS TO

### UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Inspector General

Office of Investigations

Craig D. Schiffbauer, *Special Agent*

### UNITED STATES DEPARTMENT OF JUSTICE

United States Attorney's Office

Eastern District of North Carolina

Karen K. Haughton, *Assistant United States Attorney*

William Miller Gilmore, *Deputy Chief, Economic Crimes*

Stephanie Wilburn, *CPA, Forensic Auditor*

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### UNITED STATES FOOD AND DRUG ADMINISTRATION

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Christine Berg, *Special Agent*