



THE UNITED STATES ATTORNEY'S OFFICE
NORTHERN DISTRICT *of* TEXAS

[U.S. Attorneys](#) » [Northern District of Texas](#) » [News](#)

Department of Justice

U.S. Attorney's Office

Northern District of Texas

FOR IMMEDIATE RELEASE

Wednesday, May 20, 2015

Federal Grand Jury Indicts Dallas Anesthesiologist On Health Care Fraud Offenses

Dr. Richard Ferdinand Toussaint, Jr. Founded Ascendant Anesthesia And Practiced At Forest Park Medical Center And Doctors Hospital In Dallas

DALLAS — Dr. Richard Ferdinand Toussaint, Jr., a licensed anesthesiologist who allegedly ran a scheme to defraud health care benefit plans by submitting false and fraudulent claims, has been indicted by a federal grand jury in Dallas on 17 counts of health care fraud, announced John Parker, Acting U.S. Attorney for the Northern District of Texas.

According to the indictment, Toussaint, 57, provided anesthesia services personally and through a company he founded, Ascendant Anesthesia. From approximately 2009-2010, Toussaint practiced medicine at two Dallas hospitals - Forest Park Medical Center located on North Central Expressway and Doctors Hospital at White Rock Lake, located on North Buckner Boulevard.

The indictment alleges that during this time, Toussaint ran a scheme to defraud Blue Cross Blue Shield of Texas (BCBS), United Healthcare (UHC), and the Federal Employees Health Benefits Program (FEHBP) by submitting, or causing to be submitted, false and fraudulent claims for personally performing medical direction of anesthesia services for certified registered nurse anesthetists (CRNAs). Toussaint falsely represented he was "present for" these services when: 1) he was under anesthesia undergoing surgery himself; 2) he was flying on his private jet; 3) he was in another state; and 4) he was at another hospital several miles away. For example, Toussaint submitted or caused to be submitted several claims representing he was present for and medically directing six patients at two different hospitals and was medically directing two patients while under anesthesia himself.

The indictment further alleges that Toussaint also inflated the amount of time the procedures took and pre-signed patients' medical records representing the services were provided before the procedures even took place. In addition to personally creating false medical records and inflating anesthesia procedure time, Toussaint directed others to do the same, representing he was present for procedures when he knew he was not.

As part of his approximate 18-month-long fraud scheme, Toussaint billed BCBS, UHC, and the FEHBP more than \$8 million, of which at least \$5 million was fraudulent.

An indictment is an accusation by a federal grand jury, and a defendant is entitled to the presumption of innocence unless proven guilty. Upon conviction, however, the maximum statutory penalty for each count of health care fraud is 10 years in federal prison and a \$250,000 fine. Restitution could also be ordered.

The indictment also includes a forfeiture allegation that would require Toussaint, upon conviction, to forfeit proceeds obtained from his fraud scheme, including a 2010 and a 2012 Rolls Royce Ghost; a 2011 Mercedes ML350; a 2011 Bentley Mulsanne, a 2012 Bentley Continental GT and a 2016 Bentley Mulsanne; a 2012 McLaren MP4-12C and a 2015 McLaren 650S Spider; and any and all real property and any and all interests in aircraft.

The FBI; U.S. Department of Labor OIG; U.S. Department of Labor Employee Benefits Security Administration; U.S. Postal Service OIG; U.S. Department of Defense, OIG, Defense Criminal Investigative Service; U.S. Office of Personnel Management OIG; U.S. Department of Health and Human Services, Food and Drug Administration, Office of Criminal Investigation; and Internal Revenue Service Criminal Investigation are investigating. Assistant U.S. Attorneys Brandon McCarthy and Andrew Wirmani are prosecuting.

Component(s):

USAO - Texas, Northern

Updated June 22, 2015