



QuickFacts

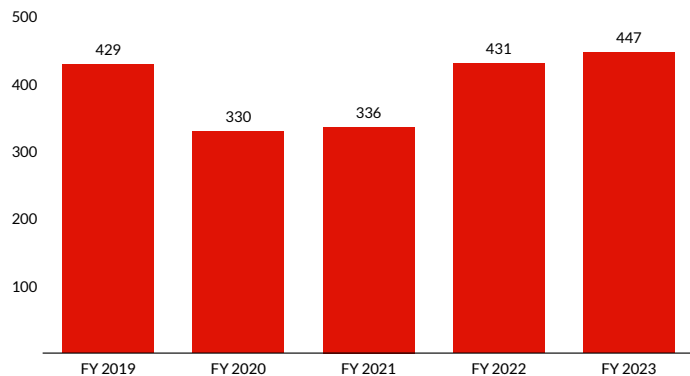
Health Care Fraud

Population Snapshot

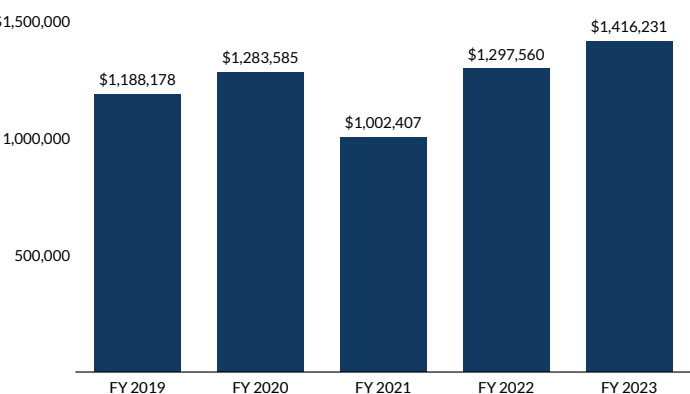
64,124 cases were reported in FY23;
4,855 involved Theft, Property Destruction, and Fraud.^{1,2,3}

9.2% of such cases involved health care fraud, up **4.2%** since FY 2019.

Number of Health Care Fraud Offenses



Median Loss Amounts



Individual and Offense Characteristics

67.6% of individuals sentenced for health care fraud were men.
 40.9% were White, 27.1% were Black, 23.7% were Hispanic, and 8.3% were Other races.

Their average age was 50 years.

89.9% were United States citizens.

89.5% had little or no prior criminal history (Criminal History Category I).

The median loss for these offenses was \$1,416,231;⁴

- 24.4% involved loss amounts of less than \$250,000;
- 4.7% involved loss amounts greater than \$9,500,000.

Sentences were increased for:

- the number of victims or the extent of harm to victims (19.2%);⁵
- conviction of a federal health care program and a loss of more than \$1 million (35.1%);
- using sophisticated means to execute or conceal the offense (17.2%);
- using an unauthorized means of identification (6.9%);
- a leadership or supervisory role in the offense (22.1%);
- abusing a public position of trust or using a special skill (26.6%);
- obstructing or impeding the administration of justice (4.9%).

Sentences were decreased for:

- Minor or minimal participation in the offense (5.8%).

The top five districts for health care fraud offenses were:

- Southern District of Florida (79);
- Southern District of New York (36);
- Northern District of Ohio (34);
- Central District of California (29);
- District of New Jersey (26, tie);
- Eastern District of Michigan (26, tie).

Punishment

The average sentence for individuals sentenced for health care fraud offenses was 27 months.

73.6% were sentenced to prison.

2.2% were convicted of an offense carrying a mandatory minimum penalty; of those individuals, one was relieved of that penalty.



QuickFacts

Health Care Fraud

Sentences Relative to the Guideline Range

55.0% of individuals sentenced for health care fraud were sentenced under the *Guidelines Manual*; of those individuals:

- 35.4% were sentenced within the guideline range.
- 56.9% received a substantial assistance departure.
 - Their average sentence reduction was 69.5%.
- 6.1% received some other downward departure.
 - Their average sentence reduction was 67.1%.

45.0% received a variance; of those individuals:

- 99.5% received a downward variance.
 - Their average sentence reduction was 54.5%.
- 0.5% received an upward variance.⁶

The average guideline minimum remained steady and average sentence imposed slightly decreased over the past five years.

- The average guideline minimum increased from 46 months in fiscal year 2019 to 48 months in fiscal year 2023.
- The average sentence imposed decreased from 34 months in fiscal year 2019 to 27 months fiscal year 2023.

¹ Cases with incomplete sentencing information were excluded from the analysis.

² Theft, property destruction, and fraud offenses include cases with complete guideline application information in which the individual was sentenced under §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States) using a Guidelines Manual in effect on November 1, 2001 or later. See www.ussc.gov/research/quickfacts for the Quick Facts on §2B1.1 individuals.

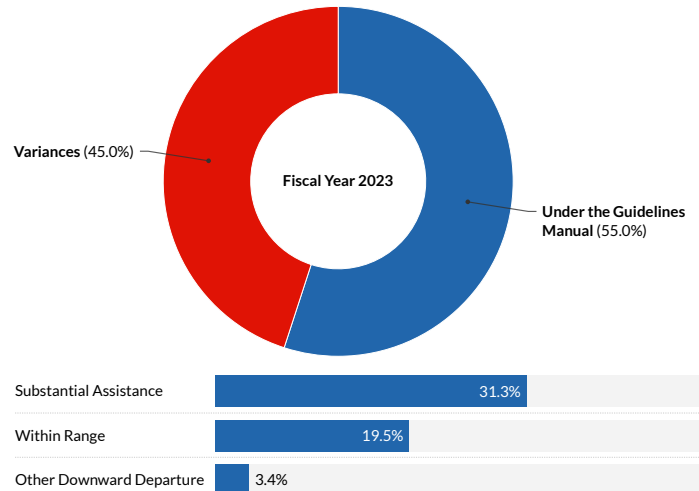
³ Health care fraud includes cases where the offense conduct as described in the Presentence Report involved the defrauding of a government or private health care entity.

⁴ The Loss Table was amended effective November 1, 2001 and November 1, 2015.

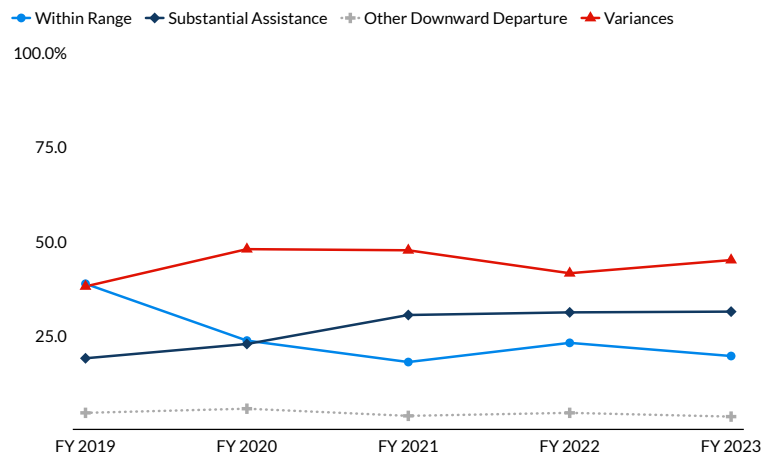
⁵ The Victims Table and Sophisticated Means adjustment were amended effective November 1, 2015.

⁶ The Commission does not report the average for categories with fewer than three cases.

Sentences Relative to the Guideline Range



Sentences Relative to the Guideline Range



Average Guideline Minimum and Average Sentence (months)

