In fiscal year 2015, there were 478 health care fraud offenders, who accounted for 0.8% of all offenders sentenced under the guidelines. The number of health care fraud offenders decreased by 13.6% from fiscal years 2013 to 2015.

**Offender and Offense Characteristics**

- In fiscal year 2015, more than half of health care fraud offenders were male (61.9%).
- Over one-third were White (37.7%) followed by Hispanic (29.9%), Black (20.9%), and Other Races (11.5%).
- The average age of these offenders at sentencing was 48 years.
- The majority of health care fraud offenders were United States citizens (86.0%).
- The majority of health care fraud offenders had little or no prior criminal history (89.5% of these offenders were assigned to Criminal History Category I).
- The median loss for these offenses was $814,854.
  - 28.0% of health care fraud offenses involved loss amounts greater than $2,500,000.
  - 21.1% of health care fraud offenses involved loss amounts of $70,000 or less.
- Sentences for health care fraud offenders were increased for:
  - Conviction of a federal health care offense involving a government health care program and a loss of more than $1 million (27.1%).
  - Use of sophisticated means to execute or conceal the offense (23.4%).
  - Leadership or supervisory role in the offense (22.0%).
  - Abusing a public position of trust or using a special skill (28.9%).
  - Obstructing or impeding the administration of justice (6.3%).
- Sentences for health care fraud offenders were decreased for:
  - Minor or minimal participation in the offense (6.3%).

---

1 Theft, property destruction, and fraud offenses include cases with complete guideline application information in which the offender 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/quick-facts for the Quick Facts on §2B1.1 offenders.

2 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.
Punishment
- The majority of health care fraud offenders were sentenced to imprisonment (71.1%).
- The average sentence length for health care fraud offenders was 31 months.

Sentences Relative to the Guideline Range
- During the past three years, the rate of within range sentences for health care fraud offenders has decreased from 43.6% in fiscal year 2013 to 32.9% in fiscal year 2015.
- In each of the past three years, approximately one-fifth to one-third of health care fraud offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence.
  - Substantial assistance departures were granted in approximately 15 to 23 percent of health care fraud cases in each of the past three years.
    - These offenders received an average reduction of 62.5% in their sentence during the three year time period.
  - Other government sponsored departures were granted in approximately five to nine percent of health care fraud cases in each of the past three years.
    - These offenders received an average reduction of 65.0% in their sentence during the three year time period.
- In each of the past three years, approximately 34 percent of health care fraud offenders received a non-government sponsored below range sentence.
  - These offenders received an average reduction of 52.0% in their sentence during the three year time period.
- During the past three years, the average sentence for health care fraud offenders decreased slightly while the average guideline minimum for these offenders increased.
  - The average sentence imposed decreased from 34 months to 31 months during that time period.
  - The average guideline minimum increased from 43 months to 48 months during that time period.

3 Of the 71,003 offenders sentenced in fiscal year 2015, 7,543 were excluded from this analysis due to incomplete guideline application information.

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