

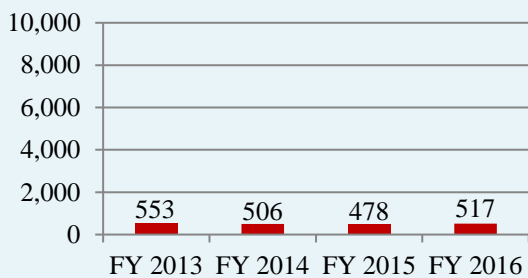


Quick Facts

- ▶ THERE WERE 67,742 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2016.
- ▶ OF THESE CASES, 6,986 INVOLVED THEFT, PROPERTY DESTRUCTION, OR FRAUD.¹
- ▶ 7.4% OF THEFT, PROPERTY DESTRUCTION, AND FRAUD OFFENSES INVOLVED HEALTH CARE FRAUD.²

Health Care Fraud Offenses²

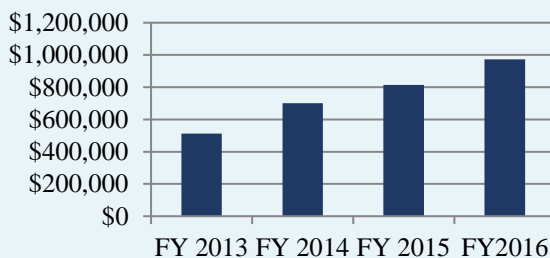
Number of Health Care Fraud Offenders



Top Five Districts Health Care Fraud Offenders FY 2016

Southern District of Florida (N=131)
Eastern District of Michigan (N=40)
Central District of California (N=27)
District of Puerto Rico (N=23)
Southern District of Texas (N=20)

Median Loss for Health Care Fraud Offenses



In fiscal year 2016, there were 517 health care fraud offenders, who accounted for 0.8%³ of all offenders sentenced under the guidelines. The number of health care fraud offenders decreased by 6.5% from fiscal years 2013 to 2016.

Offender and Offense Characteristics

- In fiscal year 2016, more than half of health care fraud offenders were male (54.0%).
- Over one-third were White (36.4%) followed by Hispanic (32.6%), Black (23.8%), and Other Races (7.2%).
- The average age of these offenders at sentencing was 48 years.
- The majority of health care fraud offenders were United States citizens (83.8%).
- The majority of health care fraud offenders had little or no prior criminal history (86.5% of these offenders were assigned to Criminal History Category I).
- The median loss for these offenses was \$973,516.
 - ◆ 20.1% of health care fraud offenses involved loss amounts greater than \$3,500,000.⁴
 - ◆ 25.4% of health care fraud offenses involved loss amounts of \$150,000 or less.⁴
- 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 (33.0%).
 - ◆ Use of sophisticated means to execute or conceal the offense (16.4%).⁵
 - ◆ Leadership or supervisory role in the offense (19.9%).
 - ◆ Abusing a public position of trust or using a special skill (28.1%).
 - ◆ Obstructing or impeding the administration of justice (4.8%).
- Sentences for health care fraud offenders were decreased for:
 - ◆ Minor or minimal participation in the offense (8.3%).

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.

Quick Facts

Health Care Fraud Offenses

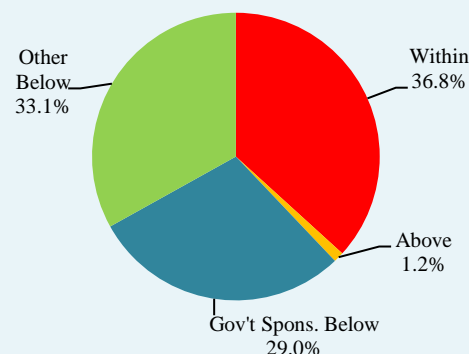
Punishment

- The majority of health care fraud offenders were sentenced to imprisonment (71.4%).
- The average sentence length for health care fraud offenders was 29 months.

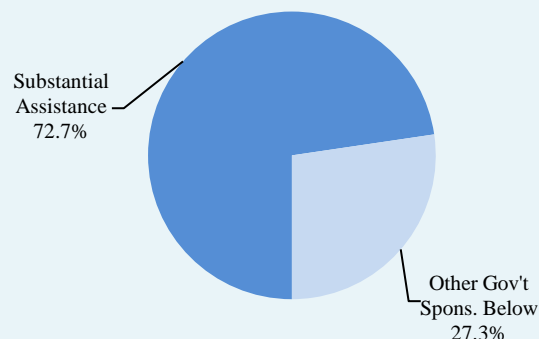
Sentences Relative to the Guideline Range

- During the past four years, the rate of within range sentences for health care fraud offenders has decreased from 43.6% in fiscal year 2013 to 36.8% in fiscal year 2016.
- In each of the past four 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 four years.
 - ◇ These offenders received an average reduction of 63.6% in their sentence during the four 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 four years.
 - ◇ These offenders received an average reduction of 65.9% in their sentence during the four year time period.
- In each of the past four years, approximately 33 percent of health care fraud offenders received a non-government sponsored below range sentence.
 - ◆ These offenders received an average reduction of 50.6% in their sentence during the four year time period.
- During the past four years, the average sentence for health care fraud offenders and the average guideline minimum for these offenders decreased overall.
 - ◆ The average sentence imposed decreased from 34 months to 29 months during that time period.
 - ◆ The average guideline minimum decreased from 43 months to 41 months during that time period.

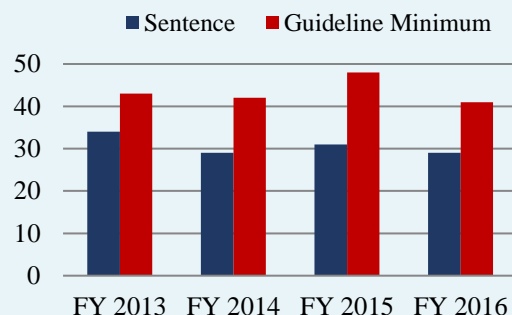
Sentence Relative to the Guideline Range FY 2016



Government Sponsored Below Range Sentences FY 2016



Average Sentence and Average Guideline Minimum (in months)



³ Of the 67,742 offenders sentenced in fiscal year 2016, 5,784 were excluded from this analysis due to incomplete guideline application information.

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

⁵ The Sophisticated Means adjustment was amended effective November 1, 2015.

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One Columbus Circle, N.E.
Suite 2-500, South Lobby
Washington, DC 20002-8002
T: (202) 502-4500
F: (202) 502-4699
www.uscc.gov
@theusccgov