

Beat: News

## Dentist Sentenced to 54 months Imprisonment

### To pay over \$1 million in forfeiture

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**USPA NEWS** - Richard G. Frohling, United States Attorney for the Eastern District of Wisconsin, announced that on July 15, 2022, Scott Charmoli, formerly a licensed dentist, was sentenced to 54 months' incarceration for committing healthcare fraud and making false statements related to healthcare matters.

Scott Charmoli was the owner and sole dentist operating Jackson Family Dentistry in Jackson, Wisconsin. In 2015, Charmoli began a years-long scheme to defraud dental insurance companies into paying for unnecessary crown procedures. Charmoli aggressively sold crowns to patients and then intentionally broke their teeth with his drill in order to convince the insurance companies to pay for the crowns. In March 2022, a jury found Charmoli guilty of five counts of health care fraud and two counts of making false statements to the insurance companies.

In announcing sentence, United State District Judge Lynn Adelman called this an unusual case of fraud because Charmoli physically harmed his own patients and "intentionally damaged" their teeth. He explained that Charmoli's fraudulent conduct led to physical injuries and a loss of trust in the dental profession. He described Charmoli as "persuading," "badgering," and "shaming" his victims and said that Charmoli was both "pushy" and "coercive." Judge Adelman also focused on the fact that Charmoli made his victims feel like "prey" and that he caused them significant pain and discomfort. The judge indicated that a period of incarceration was necessary to reflect the seriousness of this conduct, particularly because there was no "motive other than greed" for Charmoli's crimes. In announcing the sentence, Judge Adelman said it was important for other professionals in Charmoli's position to know that this kind of fraudulent conduct would not be tolerated.

Evidence at trial indicated that Charmoli performed far more crowns than most dentists in Wisconsin, ranking in, or above, the 95th percentile of crowns performed each year from 2016 to 2019. The evidence also showed that Charmoli billed over \$4.2 million for crown procedures between 2016 and 2019, and that he performed more than 700 crowns each year from 2015 to 2019. In each of 2015 and 2016, Charmoli performed over 1000 crown procedures. Evidence also showed that in addition to submitting x-rays to insurance companies of damage Charmoli himself had caused, Charmoli made false statements to dental insurers when they denied initial claims for crown coverage.

Charmoli benefited significantly from his scheme, amassing significant assets. As part of his sentence, Charmoli already has been ordered to pay \$1,043,229.31 in forfeiture. He also will be responsible for reimbursing insurance companies and reimbursing patients who received fraudulent crowns for their out-of-pocket expenses. Judge Adelman will determine the final amount of restitution due and owing to patients and insurance companies related to the offenses of conviction within 90 days. In addition, Charmoli is the subject of several malpractice lawsuits brought by former patients.

"Mr. Charmoli abused a position of trust and lied to his patients and their insurers simply to line his own pockets," stated United States Attorney Frohling. "Despite already having many advantages in life, Mr. Charmoli simply wanted more, and he was willing to harm his patients physically, emotionally, and financially to fund his lifestyle. I commend the hard work of the FBI agents and the trial team in pursuing justice for the victims in this case."

"Health care fraud remains a top priority for the FBI due to the negative effects it has on our community," said SAC Michael E. Hensle. "Not only do health care fraud schemes like this cost the U.S. taxpayers through increased health insurance premiums and greater out-of-pocket expenses, they also cause unnecessary pain and suffering to those who seek the assistance of trusted health care professionals. The FBI will continue to investigate and work with our partners at the U.S. Attorney's Office to prosecute those who take advantage of the health care system for their own financial greed. Together, we remain committed to bringing those to justice who personally benefit from their criminal health care fraud schemes."

The Federal Bureau of Investigation investigated the case, which Assistant United States Attorneys Julie F. Stewart and Michael A. Carter prosecuted.

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