

DISTRICT COURT: FIRST DISTRICT
SUFFOLK COUNTY: STATE OF NEW YORK
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THE PEOPLE OF THE STATE OF NEW YORK

-against-

JAMES BESSELL D/O/B 6/29/60
404 Avondale Drive
Shirley, New York 11967, and

FELONY COMPLAINT
DOCKET NO. CR-013343-25SU
CR-013373-25SU

JIM JIM RENTALS, INC.
404 Avondale Drive
Shirley, New York 11967

Defendants.

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STATE OF NEW YORK)
) ss.
COUNTY OF SUFFOLK)

Thomas Fisch, Shield Number 2338, a Detective in the Office of the New York State Attorney General's Medicaid Fraud Control Unit ("MFCU"), being duly sworn, deposes and says, upon information and belief:

That from on or about and between August 22, 2019 and on or about August 21, 2023, at 404 Avondale Drive, Shirley, Suffolk County, New York 11967 and elsewhere in the State of New York, the defendants, JAMES BESSELL and JIM JIM RENTALS, INC., committed the crimes of:

Penal Law §155.42	Grand Larceny in the First Degree, B felony (1 count)
Penal Law §177.25	Health Care Fraud in the First Degree, B felony (1 count)
Penal Law §177.20	Health Care Fraud in the Second Degree, C felony (1 count)
Penal Law §177.15	Health Care Fraud in the Third Degree, D felony (2 counts)
Penal Law § 175.35(1)	Offering False Instruments for Filing in the First Degree, E felony (10 counts)
SSL §§ 366-d(2)(b)(ii) and (4)	Medical Assistance Provider; Prohibited Practices, E felony (6 counts)

IN THAT THE DEFENDANTS, JAMES BESSELL, individually and as owner and high managerial agent acting within the scope of his employment with and in behalf of corporate defendant, JIM JIM RENTALS, INC., acting in concert, and with intent to deprive another of property and to appropriate the same to themselves and to a third person, did wrongfully take, obtain and withhold such property valued in excess of one million dollars (\$1,000,000) from an owner thereof; with intent to defraud a single health plan, knowingly and willfully provided materially false information and omitted material information for the purpose of requesting payment from a health plan for a health care item and service and, as a result of such false information and omission, received payment or a portion of the payment from a single health plan in a period of not more than one year, exceeding one million dollars (\$1,000,000)(Count 2); fifty-thousand dollars (\$50,000)(Count 3); ten thousand dollars (\$10,000)(Counts 4, 5) in the aggregate, to which they were not entitled under the circumstances; with intent to defraud the state and a political subdivision thereof, knowing that a written instrument contained a false statement and false information, offered and presented it to a public office and public servant, with the knowledge and belief that it would be filed with, registered in, and otherwise become part of the records of such public office and public servant; and being a medical assistance provider, offered, agreed to give and gave payment and other consideration in any form to another person to the extent such payment and other consideration was given to purchase, lease and order any good, facility, service or item for which payment was made under Title Eleven of Article Five of the Social Services Law and thereby obtained money or property having a value in excess of seven thousand five hundred dollars (\$7,500).

The offenses were committed under the following circumstances:

Background

Defendant JAMES BESSELL was the owner and a high managerial agent acting in behalf of corporate defendant JIM JIM RENTALS, INC., a taxi company that he operated out of his home, located at a 404 Avondale Drive, Shirley, New York. Defendant JIM JIM RENTALS, INC. was an enrolled non-emergency, medical transportation provider in the New York State Medicaid Assistance Program ("Medicaid"), which allowed defendant JIM JIM RENTALS, INC. to submit claims for reimbursement to Medicaid for transportation services provided to Medicaid recipients to and from medically necessary medical appointments reimbursed by Medicaid.

Defendant JAMES BESSELL was responsible for and financially benefitted from directing the daily operations of defendant JIM JIM RENTALS, INC., including, but not limited to, managing drivers, overseeing the scheduling of rides, attesting to the accuracy of and submitting transportation claims to Medicaid, receiving payment from Medicaid, and managing weekly payroll.

Defendants Knowingly Submitted Millions in False Transportation Services Claims to Medicaid

From on or about and between August 22, 2019 through on or about August 21, 2023, defendant JAMES BESSELL, individually and as the owner and a high managerial agent acting in behalf of corporate defendant JIM JIM RENTALS, INC., acting in concert,

knowingly attested to fictitious trips representing that defendant JIM JIM RENTALS, INC. provided transportation services to Medicaid recipients and submitted such false claims to Medicaid for payment. These claims were false and invalid because the claimed transportation services were never provided, not provided as claimed, or they were predicated on unlawful kickback payments to at least six Medicaid recipients whose names are known to your Deponent. Relying on those false claims, Medicaid, through its fiscal agent, paid defendant JIM JIM RENTALS, INC., in excess of \$1,000,000 to which the defendants were not entitled. Specifically, as a result of submitting materially false information in those claims, the defendants received more than \$1,000,000 from on or about and between August 22, 2022 through August 21, 2023; more than \$50,000 from on or about and between August 22, 2021 and August 21, 2022; and more than \$10,000 from on or about and between August 22, 2019 and August 21, 2020 and August 22, 2020 and August 21, 2021, to which they were not entitled.


On or about the following dates, with respect to ten different Medicaid recipients whose full names and identities are known to your Deponent, knowing that the claims contained false information, JAMES BESSELL, individually and as owner of JIM JIM RENTALS, INC., offered to GDIT, a fiscal agent of Medicaid, through eMedNY, the electronic New York State Medicaid system, the following false claims for payment identified by unique Transaction Control Numbers ("TCN"):

- Medicaid Recipient #1
 - November 8, 2022
 - TCN: 2231200123625130
- Medicaid Recipient #2
 - September 14, 2022
 - TCN: 2225700167649430
- Medicaid Recipient #3
 - March 28, 2023
 - TCN: 2308700173859330
- Medicaid Recipient #4
 - May 17, 2023
 - TCN: 2313700352006530
- Medicaid Recipient #5
 - November 28, 2022
 - TCN: 2233200135355330
- Medicaid Recipient #6
 - December 13, 2022
 - TCN: 2234700244560530
- Medicaid Recipient #7
 - December 26, 2019
 - TCN: 1936000131724730
- Medicaid Recipient #8
 - July 10, 2020
 - TCN: 2019200156232430

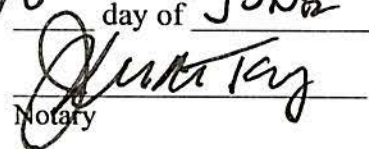
- Medicaid Recipient #9
 - March 14, 2023
 - TCN: 2307300317798630
- Medicaid Recipient #10
 - February 12, 2021
 - TCN: 2104300055555830

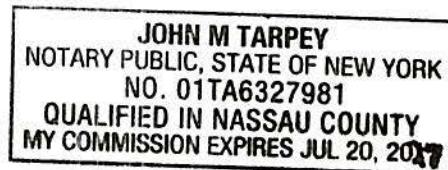
These claims were false and invalid because the Medicaid recipient allegedly being transported was either: (1) absent from and did not attend the treatment facility that day; (2) admitted as an inpatient at a hospital or inpatient facility; (3) incarcerated in a county jail; or, (4) deceased and, thus, the claimed transportation service was not provided to a Medicaid recipient.

The above allegations of fact are made by the Deponent herein based upon information and belief, the sources of the Deponent's information and grounds for his belief being his review of the investigation conducted by members of and the files maintained by the Office of the New York State Attorney General, MFCU; his review of records made and maintained in the regular course of business by the New York State Department of Health; and interviews of witnesses known to him.


 Thomas Fisch
 Detective, Shield #2338

Sworn to before me this

16 day of June, 2025

 Notary



**False Statements Made Herein Are Punishable As A Class A Misdemeanor
 Pursuant To Section 210.45 Of The Penal Law.**