

INDICTMENT

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

- against -

INDICTMENT NO.

/2017

- X. 1. HIN T. WONG
- X. 2. NY PHARMACY INC.
- X. 3. NYC PHARMACY INC.
- X. 4. NY HEALTHFIRST PHARMACY INC.
- X. 5. MERY GOODEN

Defendants.

-
- COUNT 1 PL § 155.42 GRAND LARCENY IN THE FIRST DEGREE
(Defendants 1-3)
 - COUNT 2 PL § 155.40 GRAND LARCENY IN THE SECOND DEGREE
(Defendants 1-4)
 - COUNT 3 PL § 155.40 GRAND LARCENY IN THE SECOND DEGREE
(Defendants 1-3)
 - COUNT 4 PL § 155.40 GRAND LARCENY IN THE SECOND DEGREE
(Defendants 1-4)
 - COUNT 5 PL § 155.40 GRAND LARCENY IN THE SECOND DEGREE
(Defendant 1-2))
 - COUNT 6 PL § 155.40 GRAND LARCENY IN THE SECOND DEGREE
(Defendant 5)
 - COUNT 7 PL § 155.35(1) GRAND LARCENY IN THE THIRD DEGREE
(Defendant 5)
 - COUNT 8 PL § 155.40 GRAND LARCENY IN THE SECOND DEGREE
(Defendant 5)
 - COUNT 9 PL § 177.20 HEALTH CARE FRAUD IN THE SECOND DEGREE
(Defendants 1-2)
 - COUNT 10 PL § 177.20 HEALTH CARE FRAUD IN THE SECOND DEGREE
(Defendants 1-2)
 - COUNT 11 PL § 190.65(1)(b) SCHEME TO DEFRAUD IN THE FIRST DEGREE
(Defendants 1-2)
 - COUNT 12 PL § 190.65(1)(b) SCHEME TO DEFRAUD IN THE FIRST DEGREE
(Defendants 1, 3, 5)
 - COUNT 13 PL § 190.65(1)(b) SCHEME TO DEFRAUD IN THE FIRST DEGREE
(Defendants 1, 4)
 - COUNT 14 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE
FIRST DEGREE
(Defendants 1-2)

- COUNT 15 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(Defendants 1, 3)
- COUNT 16 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(Defendants 1, 3)
- COUNT 17 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(Defendants 1, 3)
- COUNT 18 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(Defendants 1-2)
- COUNT 19 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(Defendants 1-2)
- COUNT 20 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(Defendants 1-2)
- COUNT 21 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(Defendants 1-2)
- COUNT 22 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(Defendants 1-2)
- COUNT 23 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(Defendants 1-2)
- COUNT 24 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(Defendants 1-2)
- COUNT 25 PL § 175.35 OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE
(Defendants 1-2)
- COUNT 26 SSL § 366-d(2)(b)(i), (4) MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES
(Defendants 1-2)
- COUNT 27 SSL § 366-d(2)(b)(ii), (4) MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES
(Defendants 1-2)
- COUNT 28 SSL § 366-d(2)(b)(ii) MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES
(Defendants 3, 5)

A TRUE BILL

GRAND JURY FOREPERSON

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL
STATE OF NEW YORK

Medicaid Fraud Control Unit
120 Broadway, 13th floor
New York, NY 10271

Dated: November 6, 2017
NEW YORK, New York

COUNT ONE

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG, NY PHARMACY INC., and NYC PHARMACY INC. of the crime of GRAND LARCENY IN THE FIRST DEGREE, in violation of Penal Law §155.42, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendants NY PHARMACY INC. and NYC PHARMACY INC., NY PHARMACY INC., and NYC PHARMACY INC., acting in concert, from on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, stole property from Amida Care, Inc., a Medicaid funded health plan, and the value of said property exceeded one million dollars (\$1,000,000.00).

COUNT TWO

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG, NY PHARMACY, INC., NYC PHARMACY INC., and NY HEALTHFIRST PHARMACY INC. of the crime of GRAND LARCENY IN THE SECOND DEGREE, in violation of Penal Law §155.40, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendants NY PHARMACY INC., NYC PHARMACY INC. and NY HEALTHFIRST PHARMACY INC., NY PHARMACY INC., NYC PHARMACY INC., and NY HEALTHFIRST PHARMACY INC., acting in concert, from on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, stole property from Wellcare, a Medicaid funded health plan, and the value of said property exceeded fifty thousand dollars (\$50,000.00).

COUNT THREE

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG, NY PHARMACY INC., and NYC PHARMACY INC. of the crime of GRAND LARCENY IN THE SECOND DEGREE, in violation of Penal Law §155.40, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendants NY PHARMACY INC. and NYC PHARMACY INC., NY PHARMACY INC., and NYC PHARMACY INC., acting in concert, from on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, stole property from the New York State Medical Assistance Program, commonly called Medicaid, and the value of said property exceeded fifty thousand dollars (\$50,000.00).

COUNT FOUR

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG, NY PHARMACY, INC., NYC PHARMACY INC., and NY HEALTHFIRST PHARMACY INC. of the crime of GRAND LARCENY IN THE SECOND DEGREE, in violation of Penal Law §155.40, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendants NY PHARMACY INC., NYC PHARMACY INC. and NY HEALTHFIRST PHARMACY INC., NY PHARMACY INC., NYC PHARMACY INC., and NY HEALTHFIRST PHARMACY INC., acting in concert, from on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, stole property from the Medicare Part-D Prescription Drug Program, and the value of said property exceeded fifty thousand dollars (\$50,000.00).

COUNT FIVE

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC of the crime of GRAND LARCENY IN THE SECOND DEGREE, in violation of Penal Law §155.40, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY INC. and NY PHARMACY INC., acting in concert, from on or about and between May 28, 2014 and July 17, 2017, in the County of NEW YORK and elsewhere in the State of New York, whilst engaged in prohibited practices, specifically the payment of kickbacks, stole property from the New York State Medical Assistance Program, commonly called Medicaid, and the value of said property exceeded fifty thousand dollars (\$50,000.00).

COUNT SIX

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses MERY GOODEN of the crime of GRAND LARCENY IN THE SECOND DEGREE, in violation of Penal Law §155.40, committed as follows:

MERY GOODEN, individually and as a high managerial agent acting within the scope of her employment and on behalf of NYC Pharmacy Inc., acting in concert, from on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, stole property from Amida Care, a Medicaid funded health plan, and the value of said property exceeded fifty thousand dollars (\$50,000.00).

COUNT SEVEN

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses MERY GOODEN of the crime of GRAND LARCENY IN THE THIRD DEGREE, in violation of Penal Law §155.35(1), committed as follows:

MERY GOODEN, individually and as a high managerial agent acting within the scope of her employment and on behalf of NYC Pharmacy Inc., acting in concert, from on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, stole property from Wellcare, a Medicaid funded health plan, and the value of said property exceeded three thousand dollars (\$3,000.00).

COUNT EIGHT

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses MERY GOODEN of the crime of GRAND LARCENY IN THE SECOND DEGREE, in violation of Penal Law §155.40, committed as follows:

MERY GOODEN, individually and as a high managerial agent acting within the scope of her employment and on behalf of NYC Pharmacy Inc., acting in concert, from on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, stole property from the Medicare Part-D Prescription Drug Program, and the value of said property exceeded fifty thousand dollars (\$50,000.00).

COUNT NINE

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of HEALTH CARE FRAUD in the SECOND DEGREE, in violation of Penal Law §177.20, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, from on or about and between January 1, 2015 and December 31, 2015, in the County of NEW YORK and elsewhere in the State of New York, with intent to defraud a 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 information and omission, received payment in an amount to which they were not entitled, to wit: in excess of fifty thousand dollars (\$50,000.00) from the New York State Medical Assistance Program, commonly called Medicaid, and multiple Medicaid funded health plans, such as Amida Care and Wellcare.

COUNT TEN

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of HEALTH CARE FRAUD in the SECOND DEGREE, in violation of Penal Law §177.20, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, from on or about and between January 1, 2016 and December 31, 2016, in the County of NEW YORK and elsewhere in the State of New York, with intent to defraud a 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 information and omission, received payment in an amount to which they were not entitled, to wit: in excess of fifty thousand dollars (\$50,000.00) from the New York State Medical Assistance Program, commonly called Medicaid, and multiple Medicaid funded health plans, such as Amida Care and Wellcare.

COUNT ELEVEN

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of SCHEME TO DEFRAUD IN THE FIRST DEGREE, in violation of Penal Law §190.65(1)(b), committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, engaged in a scheme constituting a systematic ongoing course of conduct with intent to defraud more than one person and obtained property from more than one person by false and fraudulent pretenses, representations and promises, and so obtained property with a value in excess of one thousand dollars from one or more such persons.

COUNT TWELVE

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG, MERY GOODEN and NYC PHARMACY, INC. of the crime of SCHEME TO DEFRAUD IN THE FIRST DEGREE, in violation of Penal Law §190.65(1)(b), committed as follows:

HIN T. WONG and MERY GOODEN, both individually and as high managerial agents acting within the scope of their employment and on behalf of corporate defendant NYC PHARMACY, INC., and NYC PHARMACY, INC., acting in concert, on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, engaged in a scheme constituting a systematic ongoing course of conduct with intent to defraud more than one person and obtained property from more than one person by false and fraudulent pretenses, representations and promises, and so obtained property with a value in excess of one thousand dollars from one or more such persons.

COUNT THIRTEEN

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY HEALTHFIRST PHARMACY, INC. of the crime of SCHEME TO DEFRAUD IN THE FIRST DEGREE, in violation of Penal Law §190.65(1)(b), committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY HEALTHFIRST PHARMACY, INC., and NY HEALTHFIRST PHARMACY, INC., acting in concert, on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, engaged in a scheme constituting a systematic ongoing course of conduct with intent to defraud more than one person and obtained property from more than one person by false and fraudulent pretenses, representations and promises, and so obtained property with a value in excess of one thousand dollars from one or more such persons.

COUNT FOURTEEN

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, on or about September 10, 2014, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NY PHARMACY, INC. knowingly submitted and caused to be submitted to the Department of Health, a Medicaid Billing Certification, which falsely stated that defendant NY PHARMACY, INC. would submit claims for reimbursement in accordance with all Medicaid rules and regulations.

COUNT FIFTEEN

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NYC PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NYC PHARMACY, INC., and NYC PHARMACY, INC., acting in concert, on or about February 13, 2014, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NYC PHARMACY, INC. knowingly submitted and caused to be submitted to the Department of Health, a Medicaid Billing Certification, which falsely stated that defendant NYC PHARMACY INC. would submit claims for reimbursement in accordance with all Medicaid rules and regulations.

COUNT SIXTEEN

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NYC PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NYC PHARMACY, INC., and NYC PHARMACY, INC., acting in concert, on or about February 13, 2015, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NYC PHARMACY, INC. knowingly submitted and caused to be submitted to the Department of Health, a Medicaid Billing Certification, which falsely stated that defendant NYC PHARMACY INC. would submit claims for reimbursement in accordance with all Medicaid rules and regulations.

COUNT SEVENTEEN

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NYC PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NYC PHARMACY, INC., and NYC PHARMACY, INC., acting in concert, on or about January 28, 2016, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NYC PHARMACY, INC. knowingly submitted and caused to be submitted to the Department of Health, a Medicaid Billing Certification, which falsely stated that defendant NYC PHARMACY INC. would submit claims for reimbursement in accordance with all Medicaid rules and regulations.

COUNT EIGHTEEN

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, on or about July 9, 2014, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NY PHARMACY, INC. knowingly submitted and caused to be submitted to CSRA, a fiscal agent of the State of New York, a claim for reimbursement under the New York State Medical Assistance Program, commonly called Medicaid, with claim reference number 1419000079614730 which falsely stated that defendant NY PHARMACY INC. dispensed medication to Medicaid recipient NG49166Z in accordance with all Medicaid rules and regulations.

COUNT NINETEEN

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, on or about July 9, 2014, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NY PHARMACY, INC. knowingly submitted and caused to be submitted to CSRA, a fiscal agent of the State of New York, a claim for reimbursement under the New York State Medical Assistance Program, commonly called Medicaid, with claim reference number 1419000083846130 which falsely stated that defendant NY PHARMACY INC. dispensed medication to Medicaid recipient NG28783G in accordance with all Medicaid rules and regulations.

COUNT TWENTY

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, on or about August 6, 2014, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NY PHARMACY, INC. knowingly submitted and caused to be submitted to CSRA, a fiscal agent of the State of New York, a claim for reimbursement under the New York State Medical Assistance Program, commonly called Medicaid, with claim reference number 1421800056091530 which falsely stated that defendant NY PHARMACY INC. dispensed medication to Medicaid recipient NG49166Z in accordance with all Medicaid rules and regulations.

COUNT TWENTY ONE

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, on or about August 11, 2014, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NY PHARMACY, INC. knowingly submitted and caused to be submitted to CSRA, a fiscal agent of the State of New York, a claim for reimbursement under the New York State Medical Assistance Program, commonly called Medicaid, with claim reference number 1422300138517930 which falsely stated that defendant NY PHARMACY INC. dispensed medication to Medicaid recipient NF39180H in accordance with all Medicaid rules and regulations.

COUNT TWENTY TWO

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, on or about September 2, 2014, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NY PHARMACY, INC. knowingly submitted and caused to be submitted to CSRA, a fiscal agent of the State of New York, a claim for reimbursement under the New York State Medical Assistance Program, commonly called Medicaid, with claim reference number 1424500079178830 which falsely stated that defendant NY PHARMACY INC. dispensed medication to Medicaid recipient NG49166Z in accordance with all Medicaid rules and regulations.

COUNT TWENTY THREE

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, on or about November 12, 2014, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NY PHARMACY, INC. knowingly submitted and caused to be submitted to CSRA, a fiscal agent of the State of New York, a claim for reimbursement under the New York State Medical Assistance Program, commonly called Medicaid, with claim reference number 1431600110390730 which falsely stated that defendant NY PHARMACY INC. dispensed medication to Medicaid recipient NG71132F in accordance with all Medicaid rules and regulations.

COUNT TWENTY FOUR

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, on or about January 6, 2017, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NY PHARMACY, INC. knowingly submitted and caused to be submitted to CSRA, a fiscal agent of the State of New York, a claim for reimbursement under the New York State Medical Assistance Program, commonly called Medicaid, with claim reference number 1700600076833530 which falsely stated that defendant NY PHARMACY INC. dispensed medication to Medicaid recipient PC16399H in accordance with all Medicaid rules and regulations.

COUNT TWENTY FIVE

THE GRAND JURY OF THE COUNTY OF THE NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Penal Law §175.35, committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, on or about February 1, 2017, in the County of NEW YORK and elsewhere in the State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, offered and presented it to a public office, public servant, public authority and public benefit corporation with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office, public servant, public authority and public benefit corporation, to wit: HIN T. WONG and NY PHARMACY, INC. knowingly submitted and caused to be submitted to CSRA, a fiscal agent of the State of New York, a claim for reimbursement under the New York State Medical Assistance Program, commonly called Medicaid, with claim reference number 1703200703193330 which falsely stated that defendant NY PHARMACY INC. dispensed medication to Medicaid recipient PC16399H in accordance with all Medicaid rules and regulations.

COUNT TWENTY SIX

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES, in violation of Social Services Law §366-d(2)(b)(i), (4), committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, from on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, being each a medical assistance provider, offered, agreed to give and gave payment and other consideration to another person to the extent such payment and other consideration was given for the referral of services for which payment was made under Title Eleven of Article Five of the Social Services Law and thereby obtained money and property having a value in excess of seven thousand five hundred dollars.

COUNT TWENTY SEVEN

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses HIN T. WONG and NY PHARMACY, INC. of the crime of MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES, in violation of Social Services Law §366-d(2)(b)(ii), (4), committed as follows:

HIN T. WONG, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NY PHARMACY, INC., and NY PHARMACY, INC., acting in concert, from on or about and between January 1, 2014 and July 31, 2017, in the County of NEW YORK and elsewhere in the State of New York, being each a medical assistance provider, offered, agreed to give and gave payment and other consideration to another person to the extent such payment and other consideration was given to purchase, lease and order any good, facility, service and item for which payment was made under Title Eleven of Article Five of the Social Services Law and thereby obtained money and property having a value in excess of seven thousand five hundred dollars.

COUNT TWENTY EIGHT

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses MERY GOODEN and NYC PHARMACY, INC. of the crime of MEDICAL ASSISTANCE PROVIDER; PROHIBITED PRACTICES, in violation of Social Services Law §366-d(2)(b)(ii), committed as follows:

MERY GOODEN, individually and as a high managerial agent acting within the scope of her employment and on behalf of corporate defendant NYC PHARMACY, INC., and NYC PHARMACY, INC., acting in concert, on or about November 7, 2014, in the County of NEW YORK and elsewhere in the State of New York, being each a medical assistance provider, offered, agreed to give and gave payment and consideration to another person, and that payment and consideration was given to purchase, lease and order any good, facility, service and item for which payment was made under Title Eleven of Article Five of the Social Services Law.