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DOCTOR WHO FOUNDED LASER EYE CENTER SENTENCED TO NEARLY TWO YEARS IN MEDICARE FRAUD CASE

A Glendora ophthalmologist who founded Laser Eye Center (LEC), a group of eye surgery centers with 12 offices, was sentenced today to 21 months in federal prison for his conviction on charges of defrauding the Medicare program.

Antoine L. Garabet, 46, was sentenced for his conviction last year on four counts of mail fraud. Garabet was sentenced by United States District Judge Stephen V. Wilson, who also ordered the defendant to pay a \$200,000 fine.

Additionally, LEC, which was also found guilty of four counts of mail fraud, was sentenced today. Judge Wilson placed the corporation on probation for four years.

Both Garabet and LEC are responsible to pay \$264,652.98 in restitution to the Medicare program.

Garabet and LEC were found guilty on May 4, 2001 after an eight-day trial. The evidence presented at trial showed that Garabet and LEC billed Medicare for eye surgeries that he did not perform.

The current focus of LEC's and Garabet's practice is now on refractive laser eye surgery, such as LASIK, that seeks to correct an individual's vision. During the 1995-1997 time frame that was the subject of the criminal charges, the practice primarily involved non-refractive laser eye surgery, such as procedures that address glaucoma and retina disease.

Garabet and LEC submitted fraudulent claims to Medicare for surgery he did not perform. As part of the scheme, Garabet examined elderly Medicare patients at LEC who did not need laser surgery, but he convinced them to have "prophylactic" laser surgery. He went through a series of motions - including putting patients in front of a laser machine - to make it appear as if he was performing laser surgery. He later billed Medicare for these purported surgeries.

At trial, medical experts, relying on sophisticated diagnostic tests, testified that a number of patients did not need laser surgery and clearly had not had laser surgery. Furthermore, the patients testified that after the purported surgery they were not given any post-operative instructions and they were allowed to drive themselves home.

This case was investigated by the Federal Bureau of Investigation.

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