



Ten current and former Amtrak employees charged for alleged participation in \$11 million health care fraud scheme; medical biller pleads guilty

June 28, 2024

NEWARK, N.J. – Ten current and former Amtrak employees were charged with conspiracy to commit health care fraud for allegedly participating in a scheme in which health care providers bilked Amtrak’s health care plans of more than \$11 million, and a medical biller who participated in the scheme pleaded guilty, according to the U.S. Attorney’s Office, District of New Jersey.

The current and former employees were each charged by indictment June 20, 2024, with conspiracy to commit health care fraud, and they appeared in Newark federal court Thursday for arraignment. As part of the same case, medical biller Hyunji Choi, aka “Regina Choi,” aka “Regina Beatrice,” 39, of Woodside, New York, pleaded guilty in Newark federal court on June 11, 2024, to an information charging her with conspiracy to commit health care fraud.

Current Amtrak employees charged were Kevin Frink, 52, of Willingboro, New Jersey; Quinton Johnson, 52, of Irvington, New Jersey; David McBrien, 36, of Levittown, Pennsylvania; Gregory Richardson, 34, of Roosevelt, New York; Rodolfo Rivera, 41, of Clayton, Delaware; Michael Toal, 34, of Hazlet, New Jersey; and Damany Walker, 41, of Irvington, New Jersey. Former employees charged were Timothy Bogen, 59, of Hamden, Connecticut; Dion Jacob, 50, of Brooklyn, New York; and David Lonergan, 64, of Rockaway Park. Amtrak placed the current employees on administrative leave pending further review.

The current and former employees allegedly received cash kickbacks from health care providers in return for their agreement to allow their health insurance plan to be billed for fraudulent claims for services that were never provided and were medically unnecessary. According to court documents filed in the case, the scheme involved dozens of Amtrak employees covered by the Amtrak health care plan and several health care providers, including Punson Figueroa, an acupuncturist, Michael DeNicola, a podiatrist, and Muhammad Mirza, a medical doctor. The current and former employees each allegedly received thousands of dollars in cash kickbacks from health care providers in return for their participation in the scheme. The scheme resulted in over \$11 million in loss to the Amtrak health care plan.

“We remain fully committed to bringing justice to those who steal from Amtrak’s resources, including these current and former Amtrak employees accused of defrauding Amtrak’s health care plans,” said Amtrak’s Inspector General, Kevin H. Winters. “The alleged actions by these employees and health care providers drained millions in Amtrak’s funds – resources ultimately provided by American taxpayers—and we hope these charges will serve as a deterrent for those considering engaging in such schemes. Anyone who suspects or observes such fraud should report it to our investigators via our fraud, waste, and abuse hotline.”

Choi previously worked for Figueroa and submitted false and fraudulent claims to the Amtrak health care plan and paid cash kickbacks to Amtrak employees at Figueroa’s direction. From in or around March 2022 to in or around July 2022, Choi engaged in her own scheme, separate

from Figueroa, in which she billed the Amtrak health care plan for additional false claims, resulting in nearly \$1 million in loss to the Amtrak health care plan.

Figueroa and Mirza previously pleaded guilty to conspiracy to commit health care fraud. Mirza was sentenced on May 7, 2024, to 26 months in prison and Figueroa is scheduled to be sentenced on July 23, 2024. DeNicola previously pleaded guilty to conspiracy to commit health care fraud, distribution of a controlled substance, and unlawful possession of a firearm. Former Amtrak employee Devon Burt and co-conspirator Hallum Gelzer each previously pleaded guilty to conspiracy to commit health care fraud and conspiracy to communicate extortionate threats. DeNicola, Burt, and Gelzer are pending sentencing.

The charge of conspiracy to commit health care fraud carries a maximum potential penalty of 10 years in prison and a \$250,000 fine, or twice the gross gain or loss from the offense, whichever is greatest. The charges and allegations in the indictment are merely accusations, and the defendants are presumed innocent unless and until proven guilty.

In addition to the Amtrak Office of Inspector General, the case was supported by the Drug Enforcement Administration, and the Amtrak Police Department.

Reports of fraud, waste, or abuse; criminal or unethical acts affecting Amtrak's property or operations; or mismanagement in Amtrak programs or operations can be made 24 hours a day via the Amtrak OIG Hotline at 1-800-468-5469 or online at <https://direc.to/hPAu>.

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