

PRESS RELEASE

# Macon Resident Pleads Guilty to Obstructing Justice in Civil Investigation

Wednesday, June 5, 2024

## For Immediate Release

U.S. Attorney's Office, Middle District of Georgia

MACON, Ga. – The owner of Middle Georgia Family Rehab has admitted in federal court to ordering two employees to illegally alter documents during a federal civil investigation into alleged improper healthcare billing by the business.

Brenda Hicks, 58, of Macon, pleaded guilty to one count of conspiracy to obstruct justice before Chief U.S. District Judge Marc Treadwell on June 5. Hicks faces a maximum of 20 years in prison to be followed by three years of supervised release and \$250,000 fine. In addition, the plea agreement stipulates that Hicks will pay restitution to TRICARE, Medicare, Blue Cross Blue Shield, Medicaid and the U.S. Department of Veterans Affairs (VA). Sentencing is scheduled for Sept. 5. There is no parole in the federal system.

"Anyone who attempts to alter or destroy documents requested as part of a federal investigation will face federal penalties for breaking the law," said U.S. Attorney Peter D. Leary. "For the sake of justice and truth, it is imperative that the integrity of the investigation is maintained for the benefit of all parties."

According to court documents, Middle Georgia Family Rehab, LLC (MGFR)—an outpatient rehabilitation facility owned by Hicks with locations in Byron and Macon—was served with a Civil Investigative Demand (CID) requesting various patient records on Oct. 7, 2019. After its receipt, Hicks set up a meeting about the CID with two MGFR employees. Hicks told them it was an "audit" and explained that MGFR did not have the records that were requested. She then instructed them to go into the system and pull any portions of the requested files, looking for hard copies of the records in MGFR's storage unit if needed.

Many of the requested records were either blank or missing. Hicks explained that if the records were not there or had not been signed, the employees were supposed to create

or sign the records. For example, if the records were missing progress notes, Hicks instructed the employees to make them up by copying and pasting the narrative language from other progress notes to fill in the missing information. These narrative sections were supposed to contain unique information from each session, such as the patient's pain level and what exercises were performed at the visit. One employee expressed concern to the other employee that what they were doing was illegal and quit. The other employee complied with Hicks' instructions and added notes and signatures to patient records as needed. These doctored patient records were then produced to the Civil Division of the U.S. Attorney's Office on Dec. 2, 2019, in response to the CID. Hicks now admits that she conspired to corruptly alter patient records with the intent to impair the integrity of those records and their availability for use in a civil action. For more information about the civil action, please visit: <https://www.justice.gov/usao-mdga/pr/judge-orders-middle-georgia-family-rehab-pay-96-million-damages-submitting-hundreds>.

The case was investigated by the Department of Defense, Defense Criminal Investigative Service (DOD-DCIS); the Department of Health & Human Services, Office of Inspector General (HHS-OIG); the Georgia Medicaid Fraud Control Unit (MFCU); and the Veterans Affairs, Office of Inspector General (VA-OIG); with substantial assistance from the U.S. Department of Labor, Office of Inspector General (DOL-OIG).

Assistant U.S. Attorney Elizabeth Howard is prosecuting the case for the Government, with previous assistance from former Assistant U.S. Attorney Sean Dietrick.

*Updated June 5, 2024*

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