

EMPOWER OVERSIGHT

Whistleblowers & Research



March 25, 2026

VIA ELECTRONIC TRANSMISSION:
CDPH.GOVQA.US/WEBAPP/_RS/SUPPORTHOME.ASPX

Dr. Erica Pan
Director and State Public Health Officer
California Department of Public Health
PO Box 997377, MS 0502
Sacramento, CA 95899-7377

RE: California Public Records Act Request Related to Oversight of Hospices

Dear Director Pan:

INTRODUCTION

Empower Oversight is a nonpartisan, nonprofit educational organization, which is dedicated to enhancing independent oversight of government and corporate wrongdoing. The organization works to help insiders safely and legally report waste, fraud, abuse, corruption, and misconduct to the proper authorities, and seeks to hold those authorities accountable to act on such reports by, among other means, publishing information concerning the same.

BACKGROUND

The California Department of Public Health (“CDPH”) is responsible for licensing and regulating hospice providers operating within the State of California. These providers receive substantial funding through federal healthcare programs, including Medicare and Medicaid.

Recent public reporting and government findings have identified widespread concerns regarding hospice fraud in California, particularly in Los Angeles County, including allegations of fraudulent enrollment of patients, improper billing, and systemic regulatory failures. These

concerns raise serious questions regarding CDPH's oversight, enforcement, and internal controls.

DATA REQUEST

Accordingly, Empower Oversight makes the following public records request. This request covers the period from January 7, 2019, to the present.

I. COMPLAINTS, INVESTIGATIONS, AND ENFORCEMENT

1. All complaints, whistleblower reports, and investigative files relating to hospice providers involving:
 - Fraudulent enrollment of patients;
 - “Ghost patients” or patients not receiving services;
 - Billing for services not rendered;
 - Shared or fraudulent use of physician provider numbers.
2. All inspection reports, deficiency findings, and enforcement actions (including non-action decisions) relating to hospice providers.
3. All documents reflecting decisions to decline enforcement, close investigations, or otherwise take no action in response to identified violations or fraud indicators.

II. LICENSING AND OVERSIGHT CONTROLS

4. All policies, procedures, and internal controls governing:
 - Licensing and certification of hospice providers;
 - Verification of ownership, management, and medical personnel; and
 - Prevention and detection of fraud in hospice programs.
5. All records reflecting reviews, audits, or assessments of CDPH's hospice licensing and oversight processes, including any identified deficiencies or recommendations for reform.
6. All communications and documents reflecting CDPH's awareness of, analysis of, or response to unusually high concentrations of hospice providers at single addresses or geographic clustering of providers.

III. INTER-AGENCY COMMUNICATIONS AND COORDINATION

7. All communications between CDPH and:
 - The California Department of Health Care Services;
 - The California Department of Social Services;
 - The California Department of Justice, including the Division of Medi-Cal Fraud and Elder Abuse (DMFEA); or
 - The Governor's Office;

referring or relating to hospice oversight, fraud detection, licensing, audits, enforcement, or program integrity concerns.

- All communications with federal agencies, including but not limited to Centers for Medicare & Medicaid Services (CMS), the U.S. Department of Health and Human Services (HHS) Office of Inspector General, and the U.S. Department of Justice, concerning hospice fraud in California.

To facilitate a reasonable and efficient search, CDPH may identify responsive communications using search terms including, but not limited to: ‘fraud,’ ‘red flag,’ ‘ghost patient,’ ‘kickback,’ ‘ineligible patient,’ ‘not terminal,’ ‘live discharge,’ ‘patient trafficking,’ ‘licensure,’ ‘shared address,’ ‘co-located,’ ‘no patients found,’ ‘overbilling,’ ‘billing anomaly,’ ‘outlier,’ ‘audit,’ ‘overpayment,’ ‘decline to pursue,’ ‘no action,’ ‘referral,’ and ‘whistleblower,’ as well as ‘Van Nuys,’ ‘Merabi,’ and ‘Faustina.’ These terms are intended to guide searches and are not intended to limit the scope of otherwise responsive records.

IV. AUDITS, BILLING, AND PROGRAM INTEGRITY

9. All audit reports, payment reviews, or billing analyses concerning hospice providers, including documents identifying improper billing, overpayments, or fraud indicators.
10. All documents reflecting data analysis, trend reports, or internal monitoring identifying:
 - Abnormal billing patterns;
 - High reimbursement per patient; or
 - Unusual discharge or survival patterns inconsistent with hospice eligibility.

V. REFERRALS AND PROSECUTION

11. All referrals made by CDPH to state or federal law enforcement entities regarding hospice fraud.
12. All records relating to hospice providers reflecting the number of:
 - Complaints received;
 - Investigations opened;
 - Enforcement actions taken; or
 - Referrals for prosecution.

DEFINITIONS

“COMMUNICATION(S)” means every manner or method of disclosure, exchange of information, statement, or discussion between or among two or more persons, including but not limited to, face-to-face and telephone conversations, correspondence, memoranda, telegrams, telexes, email messages, voice-mail messages, text messages, Slack messages, meeting minutes, discussions, releases, statements, reports, publications, and any recordings or reproductions thereof.

“REFERS,” “REFERRING TO,” “REGARDS,” REGARDING,” “RELATES,” “RELATING TO,” “CONCERNS,” “BEARS UPON,” or “PERTAINS TO” mean containing, alluding to, responding to, commenting upon, discussing, showing, disclosing, explaining, mentioning, analyzing, constituting, comprising, evidencing, setting forth, summarizing, or characterizing, either directly or indirectly, in whole or in part.

“INCLUDING” means comprising part of, but not being limited to, the whole.

INSTRUCTIONS

The words “and” and “or” shall be construed in the conjunctive or disjunctive, whichever is most inclusive.

The singular form shall include the plural form and vice versa.

The present tense shall include the past tense and vice versa.

In producing the records described above, please segregate them by reference to each of the numbered items of this request.

For ease of administration and to conserve resources, we ask that documents be produced in a readily accessible electronic format. Thank you for your time and consideration. Please do not hesitate to contact me with any questions.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information.

If you have any questions about this request, please contact Bobby Cheren by e-mail at [REDACTED].

FEE WAIVER REQUEST

Empower Oversight requests a waiver of fees, as a non-profit educational organization, as defined under Section 501(c)(3) of the Internal Revenue Code, which helps insiders safely and legally report waste, fraud, abuse, corruption, and misconduct to the proper authorities, and seeks to hold those authorities accountable to act on such reports by, among other means, publishing information concerning the same.

Further, the information that Empower Oversight seeks is in the public interest because it is likely to contribute significantly to the public’s understanding of potential fraud in hospice programs funded through Medicare and Medicaid. In the latter regard, the information that Empower Oversight receives that tends to explain the subject matter of this request will be disclosed publicly via its website, and copies will be shared with other news media for public dissemination.

Cordially,
/Tristan Leavitt/
Tristan Leavitt
President