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HOSPITAL EMPLOYEES CHARGED WITH ILLEGALLY ACCESSING MEDICAL RECORDS AND PERSONAL IDENTIFICATION INFORMATION OF EMERGENCY ROOM PATIENTS

Patients Subsequently Contacted By Alleged "Ambulance Chasing" Lawyers And "Medical Mills"

Queens District Attorney Richard A. Brown today announced that two employees of Jamaica Hospital Medical Center have been charged with illegally accessing medical records and personal identification information of emergency room patients who were then contacted — some while they were still in the E.R. — by attorneys seeking to solicit them as clients and by others seeking to provide outpatient services.

District Attorney Brown said, "These defendants are accused of blatantly violating their HIPAA obligations and illegally trolling through confidential patient records. Their alleged actions led to patients who were seeking treatment for injuries unwittingly being victimized again with the illegal release of their personal information and medical records."

The District Attorney identified the defendants as Maritza Amador, 44, of 8825 148th Street, in Jamaica, Queens, and Dache Prawl, 45, of 194-01 Linden Boulevard, in St. Albans, Queens. The defendants were arrested last night and are presently awaiting arraignment in Queens Criminal Court in Kew Gardens. They are variously charged with computer trespass, second-degree unlawful possession of personal identification information, and unauthorized use of a computer. If convicted, they each face up to four years in prison.

It is alleged that both Amador and Prawl each illegally accessed more than 250 different computer records of patient files, each containing, among other things, the patient's Social Security number, date of birth, address, telephone number, and details regarding their injuries and medical treatment received in the emergency room at Jamaica Hospital Medical Center.

District Attorney Brown said that, according to the charges, defendant Amador, between February 10, 2012 and March 12, 2014, and defendant Prawl, between December 11, 2013 and March 17, 2014, who are both employed as registrars in the emergency room of Jamaica Hospital Medical Center, illegally accessed the personal identification information, including the Social Security numbers, and medical records, of patients seeking treatment in the emergency room. None of the patients was registered by Amador or Prawl and therefore they were not permitted to access the information. A sampling of the accessed files charged in the criminal complaints include the following:

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*On February 10, 2012, at approximately 4:42 p.m., an individual whose full identity is known to the Queens District Attorney's Office, hereinafter referred to as D.C., sought medical treatment at the emergency room of Jamaica Hospital for injuries suffered as a result of a car accident. Jamaica Hospital records further show that, at approximately 6:02 p.m., on February 10, 2012, defendant Amador used her computer access login to access D.C.'s records of medical treatment, which also contained numerous items of D.C.'s personal identification information. Within two days of the emergency room visit, D.C. received a phone call from a person falsely claiming that she was calling from Jamaica Hospital and wanted to make sure that D.C. received followup medical treatment. D.C. also received a call from an attorney attempting to solicit D.C. as a client relevant to the injuries which caused the emergency room visit.

*On December 11, 2013, at approximately 4:06 p.m., inside of Jamaica Hospital, Prawl allegedly used her computer access login to access records of medical treatment, which also contained the personal identification information, of D.L., a person known to the Queens District Attorney's Office. Those records also reveal that D.L. came to the emergency room for medical treatment on December 11, 2013, at approximately 1:05 p.m., for injuries suffered as the result of a motor vehicle accident. According to Jamaica Hospital's case investigation records, while D.L. was in the emergency room D.L. received calls from attorneys attempting to solicit business relative to the injuries which caused the emergency room visit. In addition, according to the case records, on December 17, 2013, D.L. received a telephone call from a person falsely representing that they were affiliated with Jamaica Hospital, and they were outside D.L.'s residence to transport D.L. to outpatient therapy.

The District Attorney acknowledged the assistance and cooperation of Jamaica Hospital Medical Center in the investigation. The Hospital brought the situation to the attention of authorities.

The investigation was conducted by Detective Armando Coutinho of the New York City Police Department's Identity Theft Squad, under the supervision of Lieutenant Ruperto V. Aguilar and the overall supervision of Inspector Gregory Antonsen, of the NYPD's Financial Crimes Task Force, Deputy Chief Jeremiah Quinlan of the Special Investigations Division, Chief of Detectives Robert Boyce, Chief of Department Philip Banks III and Police Commissioner William Bratton.

The case is being prosecuted by Assistant District Attorney Mary M. Lowenburg, Chief of the Auto Crime and Insurance Fraud Unit, of the District Attorney's Organized Crime and Rackets Bureau, under the supervision of Assistant District Attorneys Gerard A. Brave, Bureau Chief, and Mark L. Katz, Deputy Bureau Chief, and the overall supervision of Peter A. Crusco, Executive Assistant District Attorney, Investigations Division, and Linda M. Cantoni, Deputy Executive Assistant District Attorney.

It should be noted that a criminal complaint is merely an accusation and that a defendant is presumed innocent until proven guilty.

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Note to Editors: Press release e-version posted at www.queensda.org.