



THE UNITED STATES ATTORNEY'S OFFICE
SOUTHERN DISTRICT *of* NEW YORK

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Department of Justice

U.S. Attorney's Office

Southern District of New York

FOR IMMEDIATE RELEASE

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Ophthalmologist Previously Charged With Healthcare Fraud Indicted For Defrauding SBA Program Intended To Help Small Businesses During COVID-19 Pandemic

Audrey Strauss, the Acting United States Attorney for the Southern District of New York, announced that AMEET GOYAL, M.D., an ophthalmologist in Rye, New York, previously indicted in this District for healthcare fraud offenses in November 2019, has been charged in a Superseding Indictment with fraudulently obtaining Government-guaranteed loans intended to help small businesses during the COVID-19 pandemic while he was on pretrial release.

Under the rules of the Paycheck Protection Program ("PPP") administered by the U.S. Small Business Administration ("SBA"), GOYAL and the ophthalmology practice he owned (the "Practice") were ineligible for PPP relief due to GOYAL's pending criminal charges. In April 2020, in order to gain access to PPP funding, GOYAL falsely represented on two separate applications to the SBA and a financial institution headquartered in New York, New York ("Bank-1"), that he was not subject to any pending indictment. The PPP also limited each business to one loan, with a maximum loan amount, and required applicants to certify that they have not and will not receive another PPP loan until December 31, 2020. While making that certification, GOYAL circumvented the single-loan requirement by submitting two separate applications, with different business names, email addresses, business identification numbers, and loan amounts, for the same underlying Practice, while disclaiming on each application that he owned any other business. Due to these misrepresentations, GOYAL successfully obtained two PPP loans totaling over \$630,000. GOYAL will be arraigned on June 26 in White Plains federal court before U.S. District Judge Cathy Seibel.

Acting U.S. Attorney Audrey Strauss said: "While already facing charges for allegedly defrauding patients and insurers of millions of dollars, GOYAL allegedly used his practice to commit a new fraud in the midst of the COVID-19 pandemic. As alleged, Goyal blatantly lied on multiple loan applications that he was not subject to any indictment, and on top of that, fraudulently double-dipped into the limited assets of the Paycheck Protection Program by pretending to apply on behalf of two separate businesses. In so doing, Goyal allegedly looted over \$630,000 in federal funds earmarked for legitimate small businesses in dire financial straits."

According to the allegations contained in the Superseding Indictment^[1] filed today in White Plains federal court:

During the relevant time period, GOYAL owned and operated Ameet Goyal, M.D. P.C., an ophthalmology practice doing business as Eye Associates Group, Rye Eye Associates, and other business names. On November 21, 2019, an indictment (the "Indictment") was returned in the action *United States of America v. Ameet Goyal*, 19 Cr. 844 (CS) (S.D.N.Y.), charging GOYAL with healthcare fraud, wire fraud, and making false statements relating to healthcare matters. On November 22, 2019, GOYAL was arraigned on the Indictment and placed on pretrial release pursuant to an order that notified GOYAL of the potential effect of committing a criminal offense while on pretrial release.

The Coronavirus Aid, Relief, and Economic Security ("CARES") Act is a federal law enacted on March 29, 2020, designed to provide emergency financial assistance to the millions of Americans who are suffering the economic effects caused by the COVID-19 pandemic. One source of relief provided by the CARES Act was the authorization of hundreds of billions of dollars in forgivable loans to small businesses for job retention and certain other expenses through the SBA's PPP.

Applicants with pending criminal charges are ineligible for PPP loans. One question on the PPP borrower application form (the "Pending Charges Question") requires the applicant to answer "Yes" or "No" and put their initial next to the response to the following question: "Is the Applicant (if an individual) or any individual owning 20% or more of the equity of the Applicant subject to an indictment, criminal information, arraignment, or other means by which formal criminal charges are brought in any jurisdiction, or presently incarcerated, or on probation or parole?" The application expressly advises that if the Pending Charges Question is answered "Yes," then "the loan will not be approved."

The PPP also limits each eligible borrower to one loan, and a maximum loan amount calculated based on a business's average monthly payroll expenses. The PPP application requires the applicant to certify and initial the representation that "During the period beginning on February 15, 2020 and ending on December 31, 2020, the Applicant has not and will not receive another loan under the Paycheck Protection Program."

In or about April 2020, GOYAL applied to the SBA and Bank-1, a federally insured institution, for over \$630,000 in Government-guaranteed loans through the SBA's PPP. Specifically, on or about April 21, 2020, GOYAL applied for a loan ("Loan-1") in the amount of \$358,700 for the business "Ameet Goyal," doing business as "Eye associates." GOYAL represented the applicant as a C-corporation with a business address in Rye, New York ("Business Address-1"), and supplied his own social security number as the applicant's business identification number.

On or about April 29, 2020, GOYAL applied for a second loan ("Loan-2") from Bank-1 under the PPP, this time in the amount of \$278,500. On this application, GOYAL listed the applicant's name as "Rye eye associates," a sole proprietorship also located at Business Address-1. For the applicant's business identification number, GOYAL reported the Employer Identification Number for Ameet Goyal, M.D. P.C. To substantiate each loan, however, GOYAL submitted the exact same underlying payroll expense report, showing the same employees and payroll costs.

On each application, GOYAL stated that he was the president and 100% owner of the respective applicant, and that he did not own any business other than the listed applicant. On both applications, GOYAL falsely answered "No" to the Pending Charges Question, and electronically placed his initials "AG" directly under his "No" response. GOYAL also falsely certified, among other things, that the applicant will not receive another PPP loan until the end of the year.

After processing each of GOYAL's signed and certified applications, which used different business names, business identification numbers, email addresses, and loan amounts, Bank-1 advised GOYAL that the respective application was approved by the SBA, and that the applicant would need to execute a loan note in order for the loan to be funded. Bank-1's signing instructions to each loan note advised, "REMINDER: The Small Business Administration, in consultation with the Secretary of the Treasury, has determined that no eligible borrower may receive more than one PPP loan. A one loan per borrower limitation is necessary to

help ensure that as many eligible borrowers as possible obtain PPP loans. If you have already received a PPP loan, you may not execute a loan note for another.”

On or about May 3, 2020, GOYAL executed the Loan-1 loan note for \$358,700, and received the funds in full on or about May 4, 2020. On or about May 2 and 4, 2020, GOYAL executed multiple identical versions of the loan note for Loan-2 for \$278,500, and received those funds in full on or about May 11, 2020.

* * *

GOYAL, 57, of Rye, New York, is charged with six counts in the Superseding Indictment. The first count charges healthcare fraud, which carries a maximum sentence of 10 years in prison; the second count charges wire fraud, which carries a maximum sentence of 20 years in prison; and the third count charges making false statements relating to health care matters, which carries a maximum sentence of five years in prison. Counts four, five, and six charge that while on pretrial release, the defendant committed the following offenses, respectively: bank fraud, which carries a maximum sentence of 30 years in prison; making false statements on a loan application, which carries a maximum sentence of 30 years in prison; and making false statements in a matter within the jurisdiction of the executive branch of the Government of the United States, which carries a maximum sentence of five years in prison. Additionally, a conviction under counts four, five, and six, if committed while on pretrial release, provides for an additional maximum sentence of 10 years in prison consecutive to any other sentence of imprisonment.

The maximum potential sentences are prescribed by Congress and are provided here for informational purposes only, as any sentencing of the defendant will be determined by the judge.

Ms. Strauss praised the work of the Federal Bureau of Investigation, the U.S. Department of Health and Human Services, Office of Inspector General, and the Office of the Inspector General of the SBA in connection with this investigation.

This case is being handled by the Office’s White Plains Division. Assistant U.S. Attorneys Vladislav Vainberg, David Felton, and Margery Feinzig are in charge of the prosecution. A civil fraud lawsuit relating to healthcare fraud under the False Claims Act is being handled by the Office’s Civil Frauds Unit. Assistant U.S. Attorney Jeffrey K. Powell is in charge of the civil case.

The charges contained in the Superseding Indictment are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

[1] As the introductory phrase signifies, the entirety of the Superseding Indictment and the description of the Superseding Indictment set forth herein constitute only allegations, and every fact described should be treated as an allegation.

Attachment(s):

[Download u.s. v. ameer goyal superseding indictment redacted.pdf](#)

Topic(s):

Coronavirus
Financial Fraud

Component(s):

[USAO - New York, Southern](#)

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