

Ambulancemen and CMPs guilty of medical expenses fraud

6 January 2015

Two Ambulancemen of the Fire Services Department (FSD) and two Chinese medicine practitioners (CMPs), charged by the ICAC, were today (Tuesday) convicted at the Kwun Tong Magistracy of conspiracy to use false prescriptions and payment receipts to defraud the FSD and an insurance company of medical expenses totalling over \$72,000.

Lam Kwok-keung and Tam Chun-hing, both 55 and Ambulancemen of the FSD; and Lie Pok-ha, 73, and Ho Wing-kam, 66, both registered CMPs, were found guilty of 30 counts of conspiracy to defraud, contrary to the Common Law.

Principal Magistrate Mr Ernest Lin Kam-hung adjourned the case to January 27 this year for sentence, pending background and community service order reports. The defendants were remanded in custody of the Correctional Services Department.

The case arose from a corruption complaint referred by the FSD. Subsequent ICAC enquiries revealed the above conspiracy offences.

The court heard that at the material times, Lam and Tam were Ambulancemen posted to Lam Tin Ambulance Depot and Tai Chik Sha Ambulance Depot of the FSD respectively. Lie and Ho were both registered CMPs practising at Wing Wah Dispensary in Yau Tong.

Lam and Tam sustained injuries while they were on duty in November 2010 and March 2011 respectively. Subsequently, they were diagnosed to suffer from back sprain.

Government employees, including staff members of the FSD, who have sustained injuries-on-duty or suffered from occupational diseases, are eligible to claim reimbursements of medical expenses incurred for direct out-patient treatment by registered CMPs at a maximum daily rate of \$200.

The court heard that between January 2011 and December 2012, Lam falsely represented to the FSD that he had attended three and 14 medical consultations with Ho and Lie respectively.

Tam made similar false representations to the FSD between September 2011 and April 2012 that he had attended seven medical consultations with Lie.

Lam and Tam also falsely represented to the FSD that they had purchased herbal medicine from the dispensary; and were entitled to claim for reimbursements of medical expenses.

To make their claims, Lam and Tam submitted to the FSD false prescriptions issued by Lie and Ho and false payment receipts of the dispensary as supporting documents. As a result of their conspiracies, the FSD was dishonestly caused to pay Lam and Tam a total of \$46,400 and \$21,200 as reimbursements of medical expenses respectively.

The court heard that between March 2011 and December 2012, Lam falsely represented to Bupa (Asia) Limited (Bupa), an insurance company, that he had attended one and five medical consultations with Ho and Lie respectively; had paid the dispensary for medical consultations and herbal medicine; and was entitled to claim for reimbursements of medical expenses.

As a result of their conspiracies, Bupa was dishonestly caused to pay Lam a total of \$4,480 as reimbursements of medical expenses.

Records of the Immigration Department revealed that Lam and Tam were outside Hong Kong on the purported consultation dates, the court was told.

The FSD and Bupa had rendered full assistance to the ICAC during the investigation.

The prosecution was today represented by prosecuting counsel Liza Yip, assisted by ICAC officer Stephen Leung.

救護員及中醫師四人詐騙醫療費用 罪成候判

2015年1月6日

兩名消防處救護員及兩名中醫師，串謀以虛假的處方藥單和付款收據詐騙消防處及一間保險公司醫療費用共逾七萬二千元，早前被廉政公署落案起訴。被告今日(星期二)在觀塘裁判法院被裁定罪名成立。

林國強及譚振興，同為五十五歲及消防處救護員；李博霞，七十三歲，及何榮錦，六十六歲，同為註冊中醫師，被裁定共三十項串謀詐騙罪名成立，違反普通法。

主任裁判官練錦鴻將案件押後至本年一月二十七日判刑，以待被告的背景及社會服務令報告。被告暫時還押懲教署看管。

廉署早時接獲消防處轉介的貪污投訴，調查其後揭發上述串謀罪行。

案情透露，林及譚於案發時為消防處救護員，分別隸屬該處藍田救護站及大赤沙救護站。李及何為註冊中醫師，同在油塘榮華參茸中西藥房應診。

林及譚分別於二〇一〇年十一月及二〇一一年三月因工受傷，他們其後被診斷為腰部扭傷。

政府僱員包括消防處人員，如因工受傷或患職業病，有資格就註冊中醫師為其提供的直接門診治療，申請償付醫療費用，每日最高款額為二百元。

案情透露，林於二〇一一年一月至二〇一二年十二月期間向消防處虛假聲稱，曾分別向何及李求診三次及十四次。

譚於二〇一一年九月至二〇一二年四月期間向消防處作出相類虛假聲稱，即曾七次向李求診。

林及譚又向消防處訛稱曾在該藥房購買中藥及有權申請償付醫療費用。

為申領有關費用，林及譚向消防處遞交所需文件，即由李及何簽署的虛假處方藥單及由該藥房發出的虛假付款收據。被告等人的串謀勾當，導致消防處向林及譚分別發放償付醫療費用共四萬六千四百元及二萬一千二百元。

案情又透露，林於二〇一一年三月至二〇一二年十二月期間，向保險公司保柏(亞洲)有限公司(保柏)虛假聲稱，曾分別向何及李求診一次及五次；向該藥房支付診金和在該藥房購買中藥；及有權申請償付醫療費用。

被告的串謀勾當，導致保柏向林發放償付醫療費用共四千四百八十元。

入境事務處紀錄發現，林及譚在上述求診日子並不在香港。

消防處及保柏在廉署調查案件期間提供全面協助。

控方今日由大律師葉瑞紅代表出庭，並由廉署人員梁展豪協助。

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