

☐ COURT ☐ STATE ATTORNEY ☐ AGENCY ☐ CENTRAL RECORDS ☐ JAIL ☐ CRIME ANALYSIS ☐ P. I. O. ☐ DEFENDANT

OBT Number		PROBABLE CAUSE AFFIDAVIT		1 Arrest 2. N.T.A.		3. Request for Warrant 4. Request for Capias		3	JUVENILE
A D M I N I S T R A T I V E	Agency OR: Number	Agency Name		Agency Report Number					
	FL 0500400	DELRAY BEACH POLICE DEPARTMENT		4 0 16-018530					
	Charge Type Check as many as apply.	<input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other			Special Notes:				
	Name (Last, First, Middle)			Alias		Race	Sex	Date of Birth	
	TOMASSO, JAMES MICHAEL					W	M	01/30/1960	
C H A R G E S	Charge Description			Charge Description					
	PATIENT BROKERING								
V I C T I M	Victim's Name (Last, First, Middle)			Race		Sex	Date of Birth		
	State Of Florida								
	Local Address (Street, Apt. Number)			(City)	(State)	(Zip)	Phone		Address Source
	Business Address (Name, Street)			(City)	(State)	(Zip)	Phone		Occupation
P R O B A B L E C A U S E S T A T E M E N T	The undersigned certifies and swears that he/she has just and reasonable grounds to believe, and does believe that the above named Defendant committed the following violation of law. The Person taken into custody ... <input type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person commit the below acts. <input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation. On the <u>31</u> day of <u>May</u> , <u>2016</u> at <u>00:00</u> (Specifically include facts constituting cause for arrest.)								
	The following investigation was conducted in Palm Beach County, Florida regarding an ongoing patient brokering scheme between the owner of a sober home and three substance abuse treatment facilities owned by Elizabeth Bowman and operated by James Tomasso.								
	The three facilities involved were Pathways 2 Recovery Gold Coast, LLC (Pathways) located at 23116 Sandalfoot Plaza Dr., Boca Raton, Inspirations Recovery, LLC. (Inspirations) located at 5204 10th Ave North, Greenacres, and Delray Wellness Center, LLC (D.B.A. Acceptance Recovery Center, LLC.) (Acceptance) located at 5850 W. Atlantic Ave, Delray Beach. Tomasso ran these businesses from his office/business Global Recovery Resources, LLC. (Global) located at 1499 W. Palmetto Park, Rd., #103, Boca Raton.								
	Hartnett Resource Services, LLC./Infinity House, entered into a "Marketing Agreement" with Global Recovery Resources, LLC. The agreement was dated January 1, 2016 and signed by the owner of Global, James Tomasso. It listed the "Marketer" as Hartnett. During a sworn statement, the operator of Hartnett (Joseph Phillips) explained that he met with Tomasso in person to enter into the agreement. Phillips stated that the agreement was not for marketing. It was done under the guise of marketing, but was actually for the referral of patients from his sober home to Tomasso's substance abuse treatment facilities. Tomasso promised him particular amounts of money per week based on a patient's insurance coverage. The rates were; \$650 for an insured patient's attendance at treatment 5 days per week, \$500 for an insured patient's attendance at treatment 3 days per week, and \$200 for an insured patient's attendance at treatment 2 days per week. The patients Phillips referred could have been sent to any of Tomasso's facilities, but attended the Pathways and Inspirations treatment locations.								
	There have been other reports that marketing agreements were developed by treatment facilities in an attempt to circumvent Florida's patient brokering statute which states "it is unlawful for any person to offer or pay any commission, bonus, rebate, kickback,								
	SWORN AND SUBSCRIBED BEFORE ME <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <u>Inv. T. Padich</u> NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10) <u>2/6/17</u> DATE </div> <div style="width: 45%;"> <u>N. Lucas</u> SIGNATURE OF ARRESTING / INVESTIGATING OFFICER LUCAS, NICOLE (0948) NAME OF OFFICER (PLEASE PRINT) <u>02/06/2017</u> DATE </div> </div>								
	<div style="display: flex; justify-content: flex-end;"> <div style="border: 1px solid black; padding: 2px; margin-left: 20px;"> PAGE 1 OF 3 </div> </div>								

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A D M I N I S T R A T I V E	Agency ORI Number FL 0500400		Agency Name DELRAY BEACH POLICE DEPARTMENT		Agency Report Number 4 0 16-018530		
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Name (Last, First, Middle) TOMASSO, JAMES MICHAEL				Race W	Sex M	Date of Birth 01/30/1960	
<p>or bribe, or engage in any split-fee arrangement to induce the referral of patients or patronage to or from a health care provider" §817.505, Fla. Stat. (2016). A health care provider includes "any substance abuse service provider licensed under chapter 397. Acceptance, Pathways and Inspirations are licensed facilities under 397.</p> <p>On September 12, 2016, I sought and received court approval to investigate Acceptance and any and all other facilities owned by Elizabeth Bowman pursuant to 42 U.S.C. section 2, and section 397.501, Fla. Stat. (Judge Thomas H. Barkdull III)</p> <p>On December 5, 2016 Phillips provided copies of "Global Recover Resources, LLC" "case management" services reports that were to be turned in to Tomasso that day. Four of the reports were dated 11/27/16 and five were dated 12/1/16 The reports were for the following patients (initials used to protect identity); [REDACTED] and [REDACTED] who were referred to Tomasso's facilities. Employees of Phillips completed these forms weekly on each referred patient and generally returned the only copy to Tomasso.</p> <p>On December 5, 2016 Andrew Phillips the son of Joseph Phillips went to Tomasso's office (Global: 1499 W. Palmetto Park Rd., Boca Raton) and collected two checks from an employee of Tomasso, "Ira." The checks were drawn on Global Recovery Resources, Chase Bank account number [REDACTED]. Check # 1514 was dated November 28, 2016 and the other was check #1557 was dated December 4, 2016 in the amount of \$1200 per check. Both checks were remitted by James Tomasso. The checks were reportedly for two weeks of patient referrals.</p> <p>Photographs were taken of the checks. The checks were then negotiated and the cash was handed over to me. I entered the money into DBPD evidence under DBPD case # 16-18530.</p> <p>On February 2, 2017, I spoke with the actual owner of Hartnett (Michael Hartnett) who stated his operating manager (Phillips) collected checks from Tomasso payable to their company (Hartnett) totaling \$68,000 over the course of their business relationship. He provided a sworn statement on a previous date stating that they (him and Phillips) were paid weekly for patient referrals. Phillips collected the checks and then deposited them into the Harnett account.</p> <p>On February 3, 2017, Hartnett provided me with copies of checks paid to them by Tomasso for patient referrals in 2016. All of the checks were drawn on Global Recovery Resources, Chase Bank account number [REDACTED], and remitted by James Tomasso. These checks were negotiated by Hartnett and totaled \$46,500.00. The following is a list of the check numbers and amounts:</p> <p>Check #1446, dated 11/14/16 in the amount of \$500 Check # 1414, dated 11/14/16 in the amount of \$2,500 Check # 1317, dated 11/1/16 in the amount of \$300</p>							
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>SWORN AND SUBSCRIBED BEFORE ME</p> <p><u>Inv. T. Padich</u> <u>[Signature]</u></p> <p>NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</p> <p><u>2/6/17</u></p> <p>DATE</p> </div> <div style="width: 45%;"> <p><u>[Signature: N. Lucas]</u></p> <p>SIGNATURE OF ARRESTING / INVESTIGATING OFFICER</p> <p>LUCAS, NICOLE (0948)</p> <p>NAME OF OFFICER (PLEASE PRINT)</p> <p><u>02/06/2017</u></p> <p>DATE</p> </div> </div>							
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<p>Check # 1305, dated 10/31/16 in the amount of \$1,500</p> <p>Check # 1296, dated 10/31/16 in the amount of \$3,450</p> <p>Check # 1266, dated 10/24/16 in the amount of \$1,500</p> <p>Check # 1171, dated 10/17/16 in the amount of \$1,500</p> <p>Check # 1170, dated 10/17/16 in the amount of \$3,300</p> <p>Check # 1128, dated 10/10/17 in the amount of \$500</p> <p>Check # 1127, dated 10/10/16 in the amount of \$5,000</p> <p>Check # 1032, dated 9/23/16 in the amount of \$2,250</p> <p>Check # 775, dated 8/15/16 in the amount of \$800</p> <p>Check # 724, dated 8/5/16 in the amount of \$14,900</p> <p>Check # 663, dated 7/25/16 in the amount of \$1,300</p> <p>Check # 619, dated 7/17/16 in the amount of \$800</p> <p>Check # 579, dated 7/11/16 in the amount of \$1,000</p> <p>Check # 548, dated 7/7/16 in the amount of \$300</p> <p>Check # 518, dated 7/5/16 in the amount of \$1,000</p> <p>Check # 485, dated 6/27/16 in the amount of \$600</p> <p>Check # 467, dated 6/20/16 in the amount of \$500</p> <p>Check # 424, dated 6/13/16 in the amount of \$1,000</p> <p>Check # 397, dated 6/6/16 in the amount of \$800</p> <p>Check # 355, dated 5/31/16 in the amount of \$1200</p>							
<p>On February 3, 2016 Andrew Phillips provided me with a list of names of patients that Hartnett/Infinity House referred to Tomasso in 2016. The following are the initials (used to protect identity) of those patients: [REDACTED]</p>							
<p>Based on the aforementioned facts probable cause exists to issue a warrant for the arrest of James Tomasso for 25 counts of Aiding, Abetting, Advising, or Participating in Patient Brokering. For 25 payments of patient referral fees to Hartnett Resource Services, LLC as documented above pursuant to F.S.S. 817.505(1)(d), Fla. Stat.</p>							
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