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**June 19, 2026**

**The Honorable Todd Blanche**  
Acting Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

## **Open Letter to Acting Attorney General Todd Blanche**

**RE: Request for Prosecutorial Review and Just Resolution in the Case of Dr. Ron Elfenbein**

Dear Acting Attorney General Blanche,

We write on behalf of physicians, patients, and medical advocates who believe the Department of Justice should exercise its discretion with restraint, fairness, and a clear commitment to the public interest. We respectfully urge your office to reexamine the case of Dr. Ron Elfenbein and to consider dismissing the matter or otherwise bringing it to a just and final resolution.

Dr. Elfenbein is a Maryland emergency medicine physician who provided care during the COVID-19 public health emergency and publicly advocated for clinical autonomy, timely treatment, and patient-centered decision-making at a moment when medical judgment was often constrained by shifting federal policy. His case has become a symbol of the dangers that arise when disputed billing interpretations are transformed into criminal exposure.

The public record shows that Dr. Elfenbein was prosecuted in connection with claims involving COVID-19 testing and related billing practices—and that the case has already been through significant and prolonged litigation. The fact that this matter remains active, with a new trial possible, only heightens the need for careful review of whether continued prosecution serves the interests of justice.

This case appears to reflect a troubling use of federal power against a physician who provided care during a public health emergency, followed by prolonged criminal exposure despite the real possibility that the conduct at issue arose from a disputed and technically complex billing interpretation rather than from classic fraud. In such circumstances, continued prosecution risks reinforcing the perception that disagreement with government policy can be transformed into criminal liability, especially when the underlying services were actually provided and the dispute turns on how ambiguous billing rules should be read.

Our review of the matter suggests that this is not a straightforward fraud case, but rather a dispute over complex and ambiguous billing codes in a setting where the underlying medical services were in fact rendered. That is the kind of issue more appropriately addressed through civil or administrative channels, not the full force of federal criminal prosecution.



It is also notable that Dr. Elfenbein's defense has drawn support from physician organizations, including the American Medical Association, the Maryland State Medical Society, and the Association of American Physicians and Surgeons. Their involvement suggests that this case has prompted serious concern across a range of medical voices, not simply within Dr. Elfenbein's immediate legal team, and that experienced clinicians and physician advocates view the prosecution as an unwarranted criminalization of disputed medical judgment and billing interpretation.

The Independent Medical Alliance (IMA) has long supported physicians who are unfairly penalized for exercising independent clinical judgment, speaking honestly, and placing patients first. In that spirit, we respectfully ask that you review this case with an eye toward the principles of proportionality, prosecutorial restraint, and due process, and that you use your office's discretion to ensure Dr. Elfenbein receives fair treatment. Because the matter remains unresolved and time is of the essence, we ask for prompt attention.

Respectfully,

A handwritten signature in purple ink, appearing to read "J. Varon, MD", with a large, stylized flourish underneath.

**Joseph Varon, MD, FACP, FCCP, FCCM**  
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For and on behalf of the  
**Independent Medical Alliance (IMA)**  
Representing more than 12,000 physicians, clinicians, scientists, and healthcare professionals