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Southern District of Florida

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Tuesday, April 17, 2018

Tampa Resident Sentenced to More Than 20 Years in Federal Prison for Tricare Health Care Fraud Scheme

A Tampa resident, who was previously convicted at trial, was sentenced to more than 20 years in federal prison for his involvement in a Tricare health care fraud scheme, receiving kickbacks and money laundering.

Benjamin G. Greenberg, United States Attorney for the Southern District of Florida, John F. Khin, Special Agent in Charge, Defense Criminal Investigative Services (DCIS), Southeast Field Office, Peter H. Kuehl, Acting Special Agent in Charge, U.S. Food and Drug Administration's Office of Criminal Investigations (FDA-OCI), Miami Field Office, and Frank Robey, Director, U.S. Army Criminal Investigation Command's (CID) Major Procurement Fraud Unit, made the announcement.

Monty Ray Grow, 46, of Tampa, was sentenced by United States District Judge Federico A. Moreno to 262 months in prison and ordered to pay approximately \$18 million in restitution. On February 5, 2018, a federal jury in Miami convicted Grow, of 18 criminal charges, including: conspiracy to commit health care fraud, in violation of Title 18, United States Code, Section 1347; conspiracy to pay and receive health care kickbacks, in violation of Title 18, United States Code, 371; unlawful receipt of health care kickbacks, in violation of Title 42, United States Code, Section 1320a-7(b)(1)(A); and money laundering, in violation of Title 18, United States Code, Section 1957.

Evidence presented at trial established that during an eight-month period in 2014-15, Grow participated in a scheme to defraud the Tricare program out of tens of millions of dollars. Tricare is the health care program for the U.S. military that pays the health care costs of active and retired military personnel and their families. That insurance benefit includes paying for any medications that a Tricare beneficiary needs. Defendant Grow enticed Tricare beneficiaries to order very expensive drugs that they did not need. Tricare, not the patients, paid the bill for these expensive drugs and the pharmacy split fifty percent of the profits with Grow. Evidence at trial

established that Grow targeted Tricare beneficiaries and induced them to order expensive drugs they did not need by paying them either directly for their own prescriptions or indirectly for those of their family and friends. As a result of the fraudulent scheme, Grow received nearly \$20 million in kickbacks from a Broward County pharmacy.

In furtherance of the conspiracy, Grow fraudulently inflated the price the pharmacy would bill to Tricare by manipulating the formulations and selling ingredients to the pharmacy that were artificially engineered in order to maximize profits. Grow also paid telemedicine companies whose doctors ratified prescriptions the defendant pre-selected, while knowing that doctors never examined a single patient. Finally, Grow laundered the criminal proceeds of his scheme through the purchase of luxury items.

To date, at least eight additional co-conspirators have pleaded guilty to federal criminal charges arising out of Grow's fraud scheme, including **Ginger Lay**, 40, of Atlanta, Georgia; **Paul Robinson**, 40, of Ormond Beach, Florida; **Deanna Dutting**, 40, of Ormond Beach, Florida, **Raymond Bear**, 46, of Flemming Island, Florida; **Robin Halliburton**, 45 of Ponte Vedra, Florida; **Michael Shane Matthews**, 47, of Newberry, Florida, **Michael Bowman**, 43, of Jacksonville, Florida, and **Sven Bjerke**, 39, of Jacksonville, Florida. These individuals have collectively remitted property back to the United States valued in the approximate amount of \$4 million. Mr. Greenberg commended the investigative efforts of DCIS, FDA-OCI and U.S. Army CID. This case was prosecuted by Assistant United States Attorneys Kevin J. Larsen and Jon Juenger.

Related court documents and information may be found on the website of the District Court for the Southern District of Florida at www.flsd.uscourts.gov or on <http://pacer.flsd.uscourts.gov>.

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