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THE UNITED STATES ATTORNEY'S OFFICE  
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**Department of Justice**

U.S. Attorney's Office

Southern District of Florida

FOR IMMEDIATE RELEASE

Friday, February 9, 2018

## **Tampa Resident Convicted for Involvement with Tricare Health Care Fraud Scheme**

Tampa resident convicted in federal court in the Southern District of Florida for his involvement in Tricare health care fraud scheme, 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 Major Procurement Fraud Unit, made the announcement.

On February 5, 2018, a federal jury in Miami unanimously convicted **Monty Ray Grow**, 46, on 18 criminal counts including conspiracy to commit health care fraud, in violation of 18 U.S.C. § 1347; conspiracy to pay and receive health care kickbacks, in violation of 18 U.S.C. § 371; unlawful receipt of health care kickbacks, in violation of 42 U.S.C. § 1320a-7(b)(1)(A); and money laundering, in violation of 18 U.S.C. § 1957.

Evidence presented at trial established that during an 8-month span 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. 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 50% 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 that scheme, Grow received nearly \$20 million in kickbacks from a Broward County pharmacy.

In furtherance of his fraud scheme, 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 those prescriptions he pre-selected with the knowledge that no doctor ever 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 \$3.3 million. Grow is scheduled to be sentenced before U.S. District Judge Federico A. Moreno on April 16, 2018, at 9:30 a.m.

"Monty Grow has been held responsible for an egregious fraud scheme that unlawfully diverted approximately \$20 million in federal health care monies that were set aside for the men and women in uniform who serve and protect our country and jeopardized the public's health for personal gain," stated United States Attorney Benjamin G. Greenberg. "The U.S. Attorney's Office and our law enforcement partners will continue to work tirelessly to identify for prosecution individuals, including healthcare providers, who not only carry out fraudulent schemes against Tricare or other federal health care programs for their own personal financial benefit at a loss to the deserving beneficiaries, but also endanger our community."

"The Defense Criminal Investigative Service is committed to protecting the integrity of the U.S. military health care program to provide top quality medical care to America's Warfighters and their families, while ensuring that health care providers and facilities comply with Federal laws," said John F. Khin, Special Agent in Charge, DCIS - Southeast Field Office. "Through joint investigations with our law enforcement partners, DCIS aggressively pursues criminal prosecutions and all available remedies to bring violators to justice. This guilty verdict demonstrate the effectiveness of our investigative efforts."

"The FDA is committed to working with our law enforcement partners to bring to justice those who place their personal gain over the health of American consumers," said Peter Kuehl, Acting Special Agent in Charge, U.S. Food and Drug Administration's Office of Criminal Investigations, Miami Field Office. "We commend the efforts of the Department of Justice for vigorously pursuing the prosecution of this matter."

"We are extremely pleased with the jury's verdict in this case," said Frank Robey, Director of the U.S. Army Criminal Investigation Command's Major Procurement Fraud Unit. "To in any way be culpable in swindling millions of dollars from a federal program that provides medical insurance for the U.S. military is completely unconscionable to me. Agents from our specialized fraud unit, along with investigators from other federal law enforcement agencies, are unwavering in our commitment to seek out and hold responsible all those who conduct criminal activity against the United States Army and the American taxpayer."

Mr. Greenberg commended the investigative efforts of DCIS, FDA-OCI and U.S. Army CID. This case is being 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](http://www.flsd.uscourts.gov) or on <http://pacer.flsd.uscourts.gov>.

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**Topic(s):**

Health Care Fraud

**Component(s):**

USAO - Florida, Southern

Updated February 9, 2018